Questions

#### MONROE COUNTY **2013 REAL ESTATE TAXES**

KEVIN W. KOENIGSTEIN, COLLECTOR Monroe County Courthouse 100 S. Main Street Waterloo, IL 62298

www.monroecountyil.org

**DILLENBERGER MARY ANN & JAMES** 6664 A RD VALMEYER, IL 62295

2013 MONROE COUNTY REAL ESTATE TAX RECEIPT PORTION - KEEP FOR YOUR RECORDS MAKE CHECKS PAYABLE TO: MONROE COUNTY COLLECTOR or use F-Pay at www monroecountvil org

DRMULA FOR TAX CALCULATION	V - 2013	
Land	+	0
Farm Land	+	6,125
Building	+	0
Farm Building	+	0
B. Of R. Equalized	=	$6,12\overline{5}$
State Eq. Factors * State Eq. Value	X	1.00000
State Eq. Value	=	6,125
<b>IMPROVEMENTS</b>	DEI.	0
OWNER OCCUP	-	0 0 0
ELDERLY	C#/	0
DISABLE VETERAN	-	0
SEN FREEZE	:=	0
Taxable Value	==	6,125
Tax Rate	X	8.14465
Real Estate Tax	=	\$498.86
Drainage Tax		\$251.14
*Not to be used for farm land	and farm buildings	
Township Multiplier:		1
ITEREST 1 1/2% PER MONTH	TOTAL TAX DUE	\$750.00
977 EQUALIZED VALUE	FAIR MARKET VA	

### 2013 Real Estate Taxes payable in 2014

PLEASE NOTE: The information listed on the back of this bill provides instructions and guidelines regarding payment methods and options, an explanation of tax calculation and other information pertaining to your real estate taxes.

The County Collector is not responsible for the variables that affect the amount of your tax bill. This office can assist or direct you to the property authority regarding questions about your tax bill.

ASSESSED TO: DILLENBERGER MARY ANN & JAMES DILL NILIMBED

PROPERTY DESCRIPTION		PE	RMANENT INDEX N	IUMBER (PIN)
TAX LOT 8 PART TAX LOT 4, PART TAX LOT 3 SUR 564			06-26-30	0-001-000
0120545 02S		AC	CRES	TAXABLE VALUE
			119.8	6,125
		CI	ASS CODE	TAX CODÉ
LOCATION OF PROPERTY		70	0021 DWNSHIP	6004
sect/lot   twp   ran     26   02S   11V		-0		T2S R11W
Taxing Body	Prior Rate	Prior Amount	Current Rate	Current Amount
MONROE COUNTY	0.83194	47.73	0.78768	48.26
IMRF	0.08100	4.65	0.09357	5.73
S.W. ILLINOIS COLLEGE #522	0.39048	22.40	0.40436	24.77
VALMEYER SCHOOL DIST 3	4.38818	251.71	4.35126	266.51
IMRF	0.17119	9.82	0.16488	10.10
VALMEYER FIR® DIST	0.28680	16.45	0.28839	17.66
ROAD DIST TWP 2-11	0.63135	36.21	0.61001	37.36
HARRISONVILLE	1.43870	82.52	1.32427	81.11
VALMEYER LIBRARY	0.12051	6.91	0.12023	7.36
Harrisonville Drainage	0.00000	251.14	0.00000	251.14
Total	8.34015	729.54	8.14465	750.00
i Co				8
ATTE	ITION TAXPA	YERS WHO E	SCROW:	
Please retain this		bill for your t		DO NOT

Please check our website near the due dates to ensure your mortgage company has made payment.

EACH INSTALLMENT MUST BE PAID BY THE DATE SHOWN OR A PENALTY WILL BE CHARGED.

DUE DATE: 9/12/2014

\$375.00

\$375.00

## **2013** Real Estate Taxes payable in 2014 PLEASE NOTE: The information listed on the back of this bill provides instructions and

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KEVIN W. KOENIGSTEIN, COLLECTOR
Monroe County Courthouse

100 S. Main Street Waterloo, IL 62298

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MONROE COUNTY

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2013 MONROE COUNTY REAL ESTATE TAX
RECEIPT PORTION - KEEP FOR YOUR RECORDS
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MONROE COUNTY COLLECTOR
or use E-Pay at www.monroecountyil.org

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ASSESSED TO: DILLENBERGER MARY ANN & JAMES

BILL NUMBER 9318

PROPERTY DESCRIPTION		P	ERMANENT INDEX N	IUMBER (PIN)
PART LOT 1 SUR 654 & PART 1 0120545 02S	LOT 7 SEC 27		06-27-40	0-001-000
		A	CRES	TAXABLE VALUE
			72.92	5,504
		C	LASS CODE	TAX CODE
LOCATION OF PROPERTY			0011	6004
sect/lot twp rans	ge acre		OWNSHIP	
27 02S 11V	N 72.9	92	TWN 06 -	T2S R11W
Taxing Body	Prior Rate	Prior Amount	Current Rate	Current Amount
MONROE COUNTY	0.83194	42.64	0.78768	43.35
IMRF	0.08100	4.15	0.09357	5.15
S.W. ILLINOIS COLLEGE #522	0.39048	20.01		22.26
VALMEYER SCHOOL DIST 3	4.38818	224.85		239.49
IMRF	0.17119	8.77	(a) 1	9.08
VALMEYER FIRE DIST	0.28680	14.70	0,100	15.87
ROAD DIST TWP 2-11	0.63135	32.35		33.57
HARRISONVILLE	1.43870	73.72	V (2007) 2007 (2007) 200	72.89
VALMEYER LIBRARY	0.12051	6.17		6.62
Harrisonville Drainage	0.00000	152.86		152.86
Total	8.34015	580,22		601.14
	0.31013	300.22	0.14403	001.14
ATTE	NTION TAXPA	YERS WHO E	SCROW:	
Please retain this	The second secon	December of Printers and Contraction	Control of the Contro	DO NOT
	END PAYME	NT AT THIS T	IME	
Please check ou	The second secon		Annual Control of the Party of	your
mortg	age company	y has made p	payment.	
EACH INSTALL	and the second s	The second of the second of the second		NWN
	A PENALTY V	NILL BE CHA		
\$300.57 SECOND INSTAI	_LMENT 9/12	/2014	AMOUNT	\$300.57

ORMULA FOR TAX CALCULATION	N - 2013	
Land	+	0
Farm Land	+	4,954
Building	+	0
Farm Building	+	550
B. Of R. Equalized	=	5,504
State Eq. Factors *	X	$\frac{1.00000}{5,504}$
State Eq. Value IMPROVEMENTS	=	5,504
	12	0
OWNER OCCUP	2	0
ELDERLY	(2)	0
DISABLE VETERAN	<b>1</b>	0
SEN FREEZE	<u> </u>	0
Taxable Value	=	5,504
Tax Rate	X	8.14465
Real Estate Tax		\$448.28
Drainage Tax	=	\$152.86
*Not to be used for farm land	and farm buildings	
Township Multiplier:		1
NTEREST 1 1/2% PER MONTH	TOTAL TAX DUE	\$601.1
977 EQUALIZED VALUE	FAIR MARKET VALU	E

Excepting that part of the Southeast Fractional 1/4 of Section 27 and United States Survey 564 Claim 620 conveyed to the State of Illinois for use of the Department of Public Works and Buildings by Warranty Deed dated August 16, 1965 and recorded November 19, 1965 in Book 93 on page 304, Monroe County, Illinois records; reference being had to the plat thereof recorded in the Recorder's Office of Monroe County, Illinois in Book of Plats "C" on page 70.

All of the foregoing land is situated in Township 2 South Range 11 West of the 3rd Principal Meridian in the County of Monroe and State of Illinois.

Together with all growing crops.

Subject to all restrictions, covenants and easements of record.

Grantor shall pay the real estate taxes for year 1974 and shall pay 15/24 of 1975 taxes payable in 1976.

situated in County of Monroe, in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption laws of this State.

Dated this what day of

George P. Ziebold, Successor Trustee of the Minnie E. Ziebold

Trust Agreement

STATE OF ILLINOIS

SS

COUNTY OF MONROE

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that GEORGE P. ZIEBOLD, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

of April , 1976.

PUBLIC NOTARY

Deed Prepared by Ronald D. Stanley 4343 West Main Street Belleville, Ill. 62223

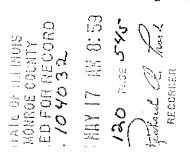
Mail Subsequent Tax Bills to:

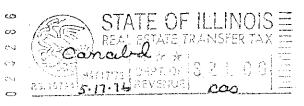
Address of Property

Lester O. Dillenberger R.F.D. #2

Valmeyer, Illinois

R.R. Monroe County, Ill.





#### WARRANTY DEED

THIS INDENTURE WITNESSETH, That the Grantor,
GEORGE P. ZIEBOLD, 715 Waterloo Drive, Waterloo, Monroe
County, Illinois, Successor Trustee of the Minnie E. Ziebold
Trust Agreement, dated December 30, 1941, recorded in the
Recorder's Office, Monroe County, Illinois, in Book of Deeds
59, at page 352, for and in consideration of the sum of
THREE HUNDRED TWENTY ONE THOUSAND DOLLARS (\$321,000.00), in
hand paid, conveys and warrants to LESTER O. DILLENBERGER
and JAMES L. DILLENBERGER, as Tenants in Common, RFD #2,
Valmeyer, Monroe County, State of Illinois, the following
described Real Estate, to-wit:

The Southwest Fractional 1/4 of Section 26, the Southeast Fractional 1/4 of Section 27, the Southeast 1/4 of the Southwest 1/4 of Section 27, also part of the Northwest Fractional 1/4 of Section 26 described as follows, to-wit:-

Beginning at a stone at center of Section 26; thence North 89 degrees West on 1/4 Section line 15 chains and 24-1/2 links to a stone on Southeasterly boundary line of Survey 564 Claim 620; thence North 48 degrees 25 minutes East along said Southerly line of said Survey 7.42 chains to most Easterly corner of said Survey; thence South 86 degrees 50 minutes East along South boundary line of the County Road 9.71 chains to a post on 1/4 Section line which runs North and South through Section 26; thence South on said 1/4 Section line 4.53-1/2 chains to place of beginning. ALSO,

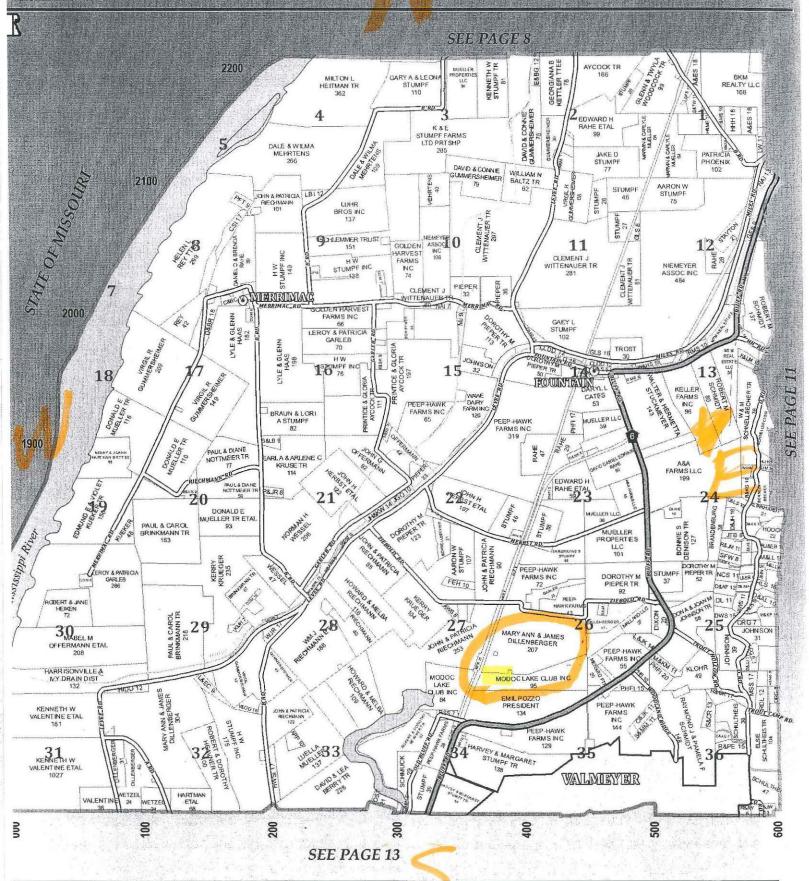
All that part of Survey 564 Claim 620 that lies East of the Right of Way of the St. Louis and Iron Mountain Railroad, running through said Survey. ALSO.

All that part of said Survey and Claim described as follows:-

Beginning on the Southerly boundary line of said Survey boundary line of said Survey at a point 21 chains and 71-1/2 links from the most Westerly corner of said Survey; thence North 48 degrees 21 minutes East parallel with the Northeasterly line of said Survey to the Westerly line of right of way of St. Louis and Iron Mountain Railroad; thence down said Westerly line of said Railroad to the Southerly boundary line of said survey; thence to the place of beginning. ALSO,

All that part of the Northeast I/4 of said Section 27 described as follows:-

Beginning at a point where the Northerly line of said Survey 564 Claim 620 intersects the Easterly line of the right of way of said St. Louis and Iron Mountain Railroad; thence along the Northerly line of said Survey South 81 degrees 31 minutes East to the Section line between Sections 26 and 27 aforesaid; thence North on said Section line 4.59 chains; thence West to the Easterly line of right of way of said St. Louis and Iron Mountain Railroad; thence Southwardly along said line of said Railroad right of way to place of beginning.



# Mag.

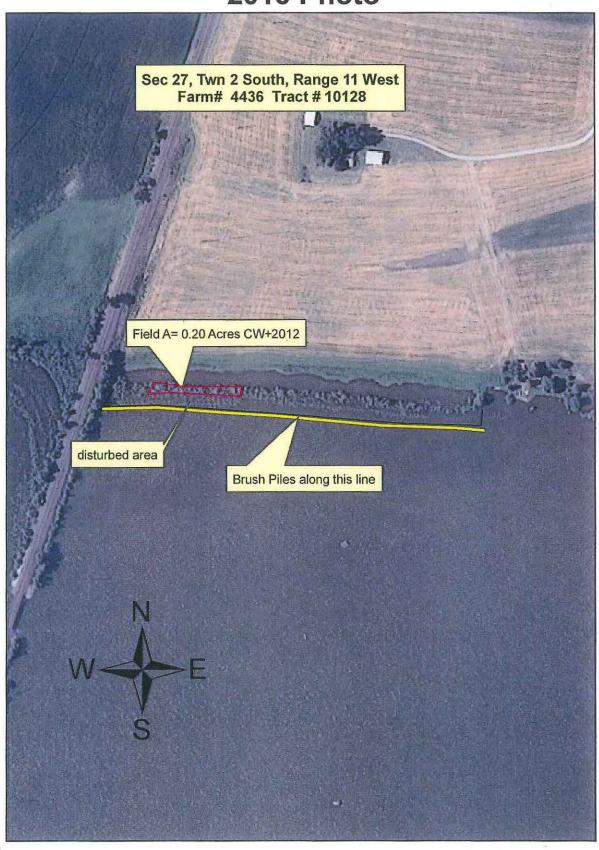
Monroe County Electric

#### **Call us for information about:**

- System GT Rebates
- Electric Heat Rate



## Dillenberger Wetland Compliance 2010 Photo



Que #3 ;#4

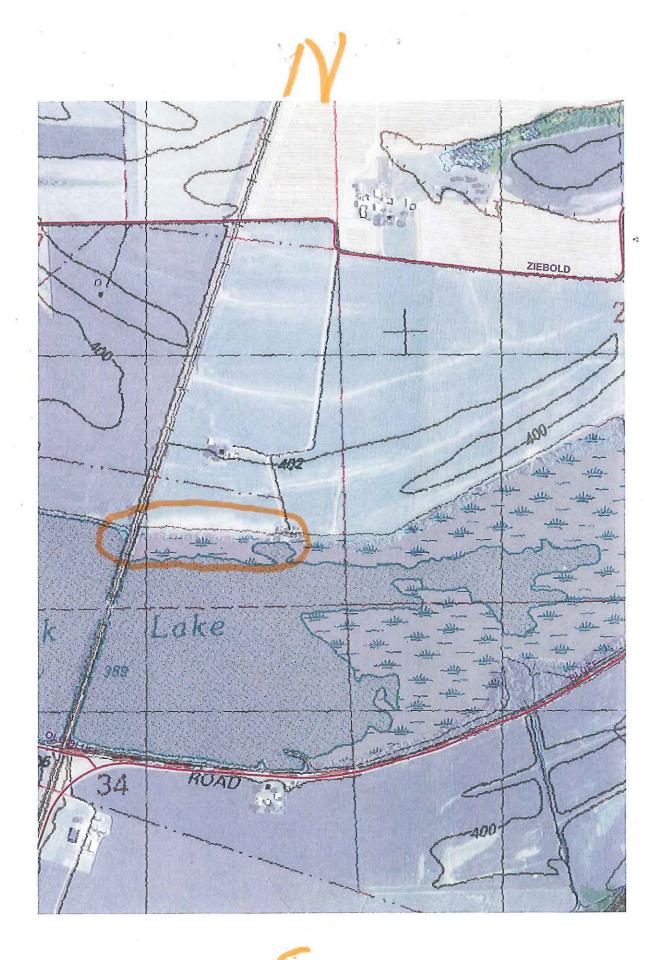
Large Flucuating

area of high

and low water.

Water is very

high right now.



W

# Question 2,5,7,8

- Ja) The work was only being done to try to eliminate shade along our existing field. We have been doing this every five or ten years since we first bought it. We were definitely not trying to gain any additional farm ground.
- 2) b The job was started the first week of Movember. I don't have the exact dates. 2(cde) I don't have a specific. answer.
- 7) I would guess about 1000 ft of shoreline and debri were pushed but thought it was only back to original line. Not to gain anymore
  - 8) The work was done with a D-6 dozer operated by a Fellow Farmer Allan Eschmann 3210 Bushy Raire Rd. Fults III. 62244

    Mone-

#### Schwarze, Lisa - FSA, Waterloo, IL

From:

Mathews, Linda - FSA, Waterloo, IL

Sent:

Thursday, December 19, 2013 3:34 PM

To:

Johanning, Wayne - NRCS, Waterloo, IL

Cc:

Schwarze, Lisa - FSA, Waterloo, IL

Subject:

RE: Dillenberger CW

This should take care of it on our end. We will file a copy of this email with the 569 and move forward. Thanks!

**From:** Johanning, Wayne - NRCS, Waterloo, IL **Sent:** Thursday, December 19, 2013 2:19 PM **To:** Mathews, Linda - FSA, Waterloo, IL

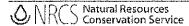
Subject: Dillenberger CW

Linda,

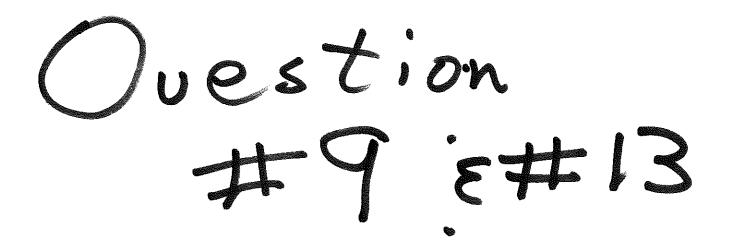
I checked Jim Dillenberger's cypress tree planting this AM for his CW compliance. He has planted the 44 cypress tree seedlings. Is there anything else that you need for this?

#### Wayne Johanning

NRCS District Conservationist 140 Williamsburg Lane Waterloo, IL 62298 Phone (618) 939-6181, ext. 3 Fax (618) 939-4647



Helping People Help the Land





SHADYCREEK NURSERY HIT 281 SARL ST COLUMBIA: 1L. 62236-1 618-281-7722

TERMINAL ID.: MERCHANT #: 0007920098016003595000 8016003595

5 U.S.C. § 552(b)(6)

SWIPED

SALE RECORD: 1 DATE: Dec 13: 13 BATCH: 000334 TRN: 1213143340

INU: 000001

TIME: 08:33

0 AUTH:00244C

VISA TRAM ID: MWBP6MLCB

APPROVAL 00244C

TOTAL \$111.83

JAMES DILLEMBERGER

CUSTOMER COPY

12/13/2013 8:33 AM

Sales Receipt #14255

#### SHADYCREEK NUBSERY AND GARDEN

#### Shadycreek Nursery & Garden

201 Carl Street Columbia, IL 62236 (618) 281-7722

www.shadycreeknurserygarden.com

Cashier: Worm

 Item Name
 Qty
 Price
 Ext Price

 Cypress seedlings
 60
 \$1.75
 \$105.00

 Subtotal:
 \$105.00

Local Sales Tax 6

6.5 % Tax + \$6.83

RECEIPT TOTAL: \$111.83

Credit Card: \$111.83

Guarantee lasts 90 d sys from day of purchase. One replacement only franks installed by Shadycreek Nursery staff are guaranteed 100% for 1 year. I ABOR IS NOT GUARANTEED. No guarantees on items bought on "Specials" "Discounts" and "Sales".



4255

Received DEC 23 2013 Monroe County FSA



Farm Service Agency

Monroe County FSA Office 138 Williamsburg Lane Waterloo, IL 62298

May 13, 2013

Dillenberger Farms 6664 A Road Valmeyer, IL 62295

Dear Mr. Dillenberger:

On May 9, 2013 we were notified that the State Executive Director Scherrie V. Giamanco and NRCS State Conservationist Ivan Dozier concurred with the Monroe County Committee's determination to approve good faith relief on the violation of the Conservation Compliance provisions as a result of converting wetlands on Tract 10128.

According to Handbook 6-CP (Rev. 4) paragraph 631A, an approved restoration or mitigation plan must be signed and approved before eligibility is reinstated. Based on the AD-1069 you agreed to and signed the mitigation agreement on March 15, 2013.

According to the mitigation plan you were to begin planting as soon as the ground can be worked in late winter or spring and **complete by May 15, 2013**. Therefore, please stop by the office to confirm that required actions have been completed and to complete a new Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification, AD-1026.

If you have any questions regarding this matter please stop by the office or contact us at (618) 939-6181 extension 2.

Sincerely,

Linda Mathews

County Executive Director Monroe County FSA Office

Cc: Chad Dillenberger

Jason Siburt

James F. & Susan H. Dillenberger Rev. Trust



United States
Department of
Agriculture

Sent e-mail only

☐ sent e-mail & original

Farm Service Agency Illinois State Office 3500 Wabash Ave Springfield, Illinois 62711-8287

May 9, 2013 In reply refer to:CEPD:KAM

Received

MAY 1 0 2013

Scherrie V. Giamanco, SED

Linda Mathews, CED Monroe County ESA

Illinois State FSA Office

SUBJECT:

TO

**FROM** 

WC Violation- Good Faith Relief and NRCS Technical Concurrence ounty FSA

Chad Dillenberger, Jason Siburt, James F. & Susan H. Dillenberger Rev. Trust.

and Dillenberger Farms

State Executive Director Scherrie V. Giamanco concurred with the Monroe County Committee's determination to approve good faith relief for the subject producers. The subject producers were determined to be in violation of the Conservation Compliance provisions as a result of converting wetlands on Tract 10128.

NRCS State Conservationist Ivan Dozier notified this office that he concurs with the NRCS technical determinations. A copy of that concurrence is attached for your files.

According to Handbook 6-CP (Rev. 4) paragraph 631A, an approved restoration or mitigation plan must be signed and approved before eligibility is reinstated. Please ensure that Part D of the AD-1069 has been completed by NRCS personnel indicating the subject producers have agreed to and signed the restoration/mitigation agreements.

Follow the instructions in Handbook 6-CP, paragraph 305 for obtaining a new AD-1026 and paragraph 641 for updating the producer's eligibility file. If the producer is a multi-county producer, notify the applicable County Offices of the reinstatement of program eligibility.

Notify the subject producers immediately of the County Committee's and State Executive Director's determination to approve good faith relief and the State Conservationist's technical concurrence. Also ensure they understand reinstating eligibility for WC violators approved for relief under the good faith exemption becomes effective only when they sign an approved conservation and mitigation plan, as applicable.

If you have any questions, please contact the STO-CEPD. Also, notify them that you have received this memorandum so the STO files may be closed on this situation.

cc: DD Gvillo

NRCS State Conservationist

This form is available a	ileotronioelly.						
(02-06-12)	U. S. DEPARTMENT ( Farm Sørvice / Nalural Resources Co	gency			1A. State Name	1B, County t	Name
	REQUEST FOR GOO WETLAND CONSERVAT	DD FAITH	RELIEF	·	ILLINOIS	MONROE	
7 OFR Part 12 and form may be disclo	ment is made in accordance with the Pri the Food, Security Act of 1986 as amen sed to other Federal, State, Local gover, then and/or as described in epplicable mailon is voluniary. However, failure to	dod, The Inlon Iment agendlet Duline Uses Ide	malion v/ll be uaec s, Tribal agencies, antilied in the Syste	i to dolarmina eligibility (c and nongovernmental en m of Resords Notice for	or program bonefils. The Info Illias that have been sulfions USDA FRANCE Form Reports	rmellon collected of access to the Bla (Automoter)	ihis form i on ihis informalic , Pravidir
the information prov	lication is exempled from the Peperverk ibillie J Miscallaneotis Conservation P. ilded, COMPLETE PART A AND RETL VS NEGUEST	אטיו פוווך אאי	M TO YOUR LOG	al PSA OPPIDE.			es Pub, L. Innble to
	Producer (including Zip Code):			. (including Area Code .C. § 552(b)(6)	a) 4. Tax Identification		s , ls)
6564 A Rd Valmeyer, IL 6229	5	ū	5. Farm No. Will	WO Violation 4436	6. Grop Year of Date	rmination 2012	,
7. Request for a good fall evidence (bal the soliv)	h delermination. (State the circums ties were performed in good faith at Will, Complete The	lances surroi nd without int (ESTO(C	unding the welle ent to violate Wi Han O.S	provisions and not a	s a soheme or device to a	nd, Include any nvoid compliand	oe.)
BA. Signalure of Producor	40 Atine to buch	nehlp of the	Individual	6) 8(13/170/180. Dale YMM-DD-YY	tanı line	OHACKED INDREVES IROB (MM-DD	le He
he BCC determination. If a g estored until a mitigation ag	Application for a good faith determing good faith relief request is approved by preement according to NRCS requires	the county of	ommittee with con	poriunity to exercise ap currence of the State II	xeoutive Director and NRC	S. elletátttá vítt	regard to I not be
PART B-NRCS INFOR	RWATION facie relating to the case that NRC				77.		El Corr
	Veeds to impedence	of Ask	Fortface	polar			<del></del>
1. Was the producer inform	med of the welland determination m	ade by NRC	S through person	nal contact?		YES	NO 区
2, Does NROS have know	riedge that the producer was involve	ed in a pravio	us National, Sta	le, or local welland vic	pallon issue?		X
3. Did NROS have a discu situation:	ission at any lime with the producer	conserning t	he wetland befo	re the adjivity occurred	17 If "YES", describe th	6 🔲	27).
4A. Signature of NROS Ep	neleyes	ا ساله مربط ب	B, Date (MM-DD	-YYYY) 15-2013	15. Date Returned to	FSA (MM-DD-Y 	) 'YYY)
ART.C-DETERMINAT	YON BY COC AND CONCUR	ENCES					et gedit.
3. Based on Information a	evallable, the OUE determined that		⊠Was made	by the producer.	Was not made	by the produc	or,
Reasons for the COC required was i	determination (Alianh an additional cancillary of art pr	sheel, If neo	prolea	lure prohi	bited Pushin	g trees	-
hade to the an	18B. Date 8			SEDIDO for Conourre	nce X Concur	19B. Date Sto (MM-DD-	
D. IrseD/DD Does Vol Co	Municipal 3-15	<u>43</u>	Geleci	Villan	Do not condur	1-29	-201
A. Signalure of NRCS Str	ale/Area ConsolvalionIst For Techr	ioal Conourr	•	S Concur	21B. Date Stated (M)	<i>Y-DD-</i> YYYY)	
HELD - MILICATION E	MAN	ng Magaga		Do hot aoneur	03/03/17		100
Good Faith determination re iduaer signs lite, rayntred mi	sulting in the reinstatement of USDA			affactive tiftar all rayui	rad signatures in Part C ar	e obtained and t	ha
. Dale miligation plan was	signed by the producer (MM-DD-)	YYY);	3/15/	J0/3			
A. Signature of NROS Em	also belle parties in	.	B. Date Signed.	275 R		•	,
io U.S. Duparimo f of Editolovia ( ulus, peronici sidus, resolov, soxui isus aprix lo al programs.) Purson 02) 720-2600 (volce and TDD). To 110, Washington, DC 20260-9410, phorturity provider and employor.	USDA prinklik diserimination in aller he pro- ni okuvakon, nesikeal balate, appelle informable is killi disabilise kilo raquin arlernetivo meer Roja comelalu u ascrimination, valte le USD or call lok-line al (860) 832-0992 (English) or (	rems and adivilla on, roprisal, or be is for communica A, Assistani Sacr (000) 077-8330 (1	is on the basis of face aceuse all or poil of a dion of program Inforn raisty for Civil Rights, (DD) or (880) 377-86	/color, national origin, aga, d nimykluel's inconto is dorivo nation (Brallie, Jarge prini, nik Olica of the Assistant Secret 12 (Bagilsh Federal-relny) or t	isahliliy, and where eppsonible, so d from eny public assistance prop solupe, etc.) should collact USO/ ary for Givil Rights, 1400 Indepen eoo) 840-6130 (Spenish Fuderel-	x, nibilini status, fon fant: (Noi all protilib No TYROET Conter dancu Avanua, S.W. roley): USDA is an e	mblal illed al ., Slop equal

This form is available	electronically,			
AD-1069 (02-06-12)	U, S, DEPARTMENT OF AGRIC Farm Service Agency Natural Resources Conservation		1A. State Name	1B. County Name
	REQUEST FOR GOOD FAIT WETLAND CONSERVATION (W	TH RELIEF	infinois	MONROE
7 CFR Part 12 and form may be discle	ment is made in accordance with the Privecy Act of the Pood, Security Act of 1996 as amended. The lossed to other Federal, State, Loon government agen alten and/or as described in applicable Routine Use mallon is voluntary. Hervever, failure to turnish the	[ 1974 (6 USC 5626 - 8s emended). The authority Information will be used to determine eligibility for r neles, Tribul agencies, and propovermmental entitle scientified in the Sustant of Peocrets Medica (or US	Program benefits. The info. As that have been euthoriz	rmollon collected on this ad access to the information
This information of 110-246) Tille II, S lite Information pro	niedion is exempled from the Pepenverk Reduction ubilite J – Misselieneous Conservation Provisions. vided, COMPLETE PART A AND RETURN THIS i	Aci, es il is required for administration of The Foo The provisions of appropriate criminal and civil trai FORM TO YOUR LOCAL PSA OPPICE;	d, Conservation, and Ener ud, privacy, and other state	my Ant at 0000 face think t
	r's request			Paper of the Control
Chad Dillenberger	Producer (including Zip Code):	3. Telephone No. (Including Area Code) 5 U.S.C. § 552(b)(6)	4. Tax identification	No. (Jasi 4 digits) u.s.c.
8664 A Rd Valmeyer, IL 6225	25	5. Fam No. With WO Violation 4436	6. Grop Year of Dele	emination 2012
evidence that the activ		il Inlent to violate WC provisions, and not as 12 of the Constitution of the Constitution of the Individual 1807 Date (MM-DD-777)	a scheme or device to SCE Y) FSATE	avold compliance,) affackel leffer
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13. Did NRCS have a disc situation;	ussion at any time with the producer concern	ing the welland before the activity occurred?	P If "YES", desorbe the	96
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(02-06-12)		iarm Service Agency Resources Conservation (	Service			}
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		NSERVATION (WC			,	
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10. Describe any parti		свае that NRCS or the Sc	oll and Water Cons	ervation District have tha	t may affeol the COC o	etermination:
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	on resulting in the reinsta	ement of USDA program b				
22. Date milligation plan	was elened by the prod	loer (MM-DD-YYYY)				
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(202) 720-2000 (voice and TDI 8410, Weshington, DO 20260 appertury provider and empk	D), To (the a complain) of discrim 0410, or cell foll-free at (066) 63 1981,	nellon, wille 16 USDA, Assisleni S 2-9992 (English) or (000) 877-893	Becrolory for Givil Richits 9 (YDD) or (860) 377-86	Olice of the Assistent Secretary 42 (English Federal-relay) or (800	lor Civil Rigisis, 1400 lintepen ) 845-6135 (Spanish Federal-	dence Avenue, S.W., Slop elay). USDA is an aqual

This form is available electronically. A. State Name AD-1069 U, S, DEPARTMENT OF AGRICULTURE 1B. County Name (02-06-12) Farm Service Agency Natural Resources Conservation Service ILLINOIS MONROE REQUEST FOR GOOD FAITH RELIEP WETLAND CONSERVATION (WC) VIOLATION NOTE: The following stelement is made in accordance with the Privacy Act of 1874 (6 USC 552e - as amended). The authority for program benefits. The information while the food, Security Act of 1886 as amended. The information will be used to determine eligibility for program benefits. The information collected on this form new be disclosed to other Federal, State, Local government agencies, Tribel egencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDAFSA-2, Farm Records Pile (Automated), Providing the requested information will result in a determination of inaligibility for program benefits. This information collection is exempled from the Pepervork Reduction Act, as it is required for administration of The Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-248) Tille II, Sublitle J - Miscellaneous Conservation Provisions. The provisions of appropriate oriminal and civil traud, privacy, and other statutes may be applicable to the information provided. COMPLETE PART A AND RETURN THIS FORM TO YOUR LOCAL FSA OFFICE. PARTA-PRODUCER'S REQUEST William St. Name and Address of Producer (including Zip Gode): 3, Telephone No. (Including Area Gode) 4. Tex Identification No. (last 4 digits) James F. & Susan H. Dillenberger Rev. Trust 6664 A Rd 5. Farm No. With WC Violation 6. Orop Year of Determination Valmeyer, IL 62295 4436 2012 7. Request for a good faith determination. (State the circumstances surrounding the wetland autivity for which a determination is requested, include any reduced for good lated determination, cleare the conditional control of the reduced control of the condition of the condition in the condition of the condition 8A. Signature of Produced (By) Signing in the Representative Capacity Dillenheis 9. Date Referred to NRGS (MM-DD-YYYY) 1/20 40% NOTE TO PRODUCER: Application for a good faith determination does not preclude the opportunity to exercise appeal rights according to notice given with regard to the WC determination. If a good faith relief request is approved by the county committee with concurrence of the State Executive Director, and NRCS, eligibility will not be restored until a miligation agreement according to NRCS requirements is signed. The welland must then be miligated within the period required by NRCS. PART B-NRCS INFORMATION 10. Describe any pertinent facts relating to the case that NRCS or the Soil and Water Conservation District have that may affect the COC determination; ( was Courant YES NO 11. Was the producer informed of the welland determination made by NROS through personal contact? 图 12. Does NRCS have knowledge that the producer was involved in a previous National, State, or local welland violation issue? 区 13. Did NRCS have a discussion at any lime with the producer concerning the wetland before the activity occurred? If "YES", describe the situation: M 15. Date Returned to FSA (MM-DD-YYYY) 14A, Signature of NRCS Employee 14B. Date (MM-DD-YYYY) 3 mg - 2013 PART C-DETERMINATION BY COC AND CONCURRENCES The second section Based on Information available, the GOC determined that Was made by the producer. Reasons for the COO determination (Atlach an additional sheet, if necessary.)

Reasons for the COO determination (Atlach an additional sheet, if necessary.)

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AD-10 (02-06-1		Fai	ARTMENT OF AGRICU rm Service Agency esources Conservation			1A. State Name	1B. County Name
		REQUEST	FOR GOOD FAITI	H RELIEF		ILLINOIS	MONROE
NOTE:	The following statement is ma 7 CFR Part 12 and the Food, form may be disclosed to othe by statute or regulation and/or the requested information is v This information collection is e	Security Act of or Federal, State or as described in oluntary. Howe	1985 as amended. The in e, Local government agend h applicable Routine Uses ver, failure to furnish the n	formation will be used cies, Tribal agencies, a identified in the Syste equested information v	to determine eligibility for pro and nongovernmental entities m of Records Notice for USD will result in a determination o	ogram benefits. The infor s that have been authorize A/FSA-2, Farm Records of ineligibility for program	rmation collected on this ed access to the informatic File (Automated). Providir benefits.
	110-246) Title II, Subtitle J – M the information provided. CO	MPLETE PART	onservation Provisions. T A AND RETURN THIS F	The provisions of appro ORM TO YOUR LOCA	priate criminal and civil fraud AL FSA OFFICE.	l, privacy, and other statu	tes may be applicable to
	4 - PRODUCER'S REQ						
DILLED	e and Address of Producer NBERGER FARMS	(Including Zip	Code):	3. Telephone No	. (Including Area Code) S.C. § 552(b)(6)	4. Tax Identification	No. (last 4 digits) <sup>Js.c.</sup> 88
6664 A	A Rd yer, IL 62295			5. Farm No. With	WC Violation 4436	6. Crop Year of Dete	ermination 2012
evide	test for a good faith determine that the activities were will will will at the good faith determine that the activities were will be activities were at the control of the	performed in Completing to	good faith and without HE HE CESTO PUSH DQC Title/Relationship of t ning in the Representa	intent to violate Word Hon QS V + GCS - he Individual	provisions and not as a	scheme or device to a	ed. Include any avoid compliance.) See QHGCLod lette, OMPLETES NRCS (MM-DD-YYYY)
the WC d restored i	PO PRODUCER: Applicate letermination. If a good faith until a mitigation agreement 3 - NRCS INFORMATIO	relief request according to N	is approved by the count	y committee with con	portunity to exercise appearance of the State Exec	utive Director and NRC	S, eligibility will not be
	cribe any pertinent facts re		ese that NRCS or the S	Soil and Water Cons	envation District have tha	it may affect the COC	determination:
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11. Was	the producer informed of the	e wetland det	termination made by N	RCS through perso	nal contact?		
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13. Did N situat	IRCS have a discussion at tion:	any time with	the producer concerning	ng the wetland befo	re the activity occurred?	If "YES", describe th	ne D
	nature of NRCS Employee	em l	Shanner		15-2013	15. Date Returned to	FSA (MM-DD-YYYY)
	- DETERMINATION E						
	ed on information available ood faith effort to comply wi			<b>⊠</b> Was made	by the producer.	☐ Was not made	by the producer.
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21A. Sigi	nature of NRCS State/Area	Conservation	nist For Technical Cond	currence	Concur	21B. Date Signed (M	iM-DD-YYYY)
Ū					Do not concur		·
PART D	- MITIGATION PLAN						
	uith determination resulting i signs the required mitigation		ment of USDA program	benefits shall becom	e effective after all required	l signatures in Part C a	re obtained and the
	mitigation plan was signed		cer (MM-DD-YYYY):	3/15/	2013		
23A. Sigr	nature of NROS Employee	ah a.	<del></del>	23B. Date Signed	(MM-DD-YYYY)		
status, pare bases apply (202) 720-2 9410, Wash	eperiment of acriculus (USDA) purified status, religion, sexual ofielation to all programs.) Persons with disc 600 (voice and TDD). To flief a comington, DC 20250-9410, or call toll- provider and employer.	on, political beliefs abilities who requir plaint of discrimina	, genelic information, reprisal, e afternative means for comm ation, write to USDA, Assistant	or because all or part of a unication of program infor Secretary for Civil Rights	n individual's income is derived fr mation (Braille, large print, audiota . Office of the Assistant Secretary	rom any public assistance pro ape, etc.) should contact USD rfor Civil Rights, 1400 Indepe	ogram. (Not all prohibiled DA's TARGET Center at Indence Avenue, S.W., Stop

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FSA-569 (02-06-12)	U.S. DEPARTMENT OF Farm Service A		JLTURE	1. Consol Number				
N	RCS REPORT OF HELC A	ND W	COMPLIANCE	2. Was This Deter		on Req O 🔀	uested by N	NRCS?
PART A – TO B	E COMPLETED BY FSA			,20				
TO: NRCS				4. FSA Administrat	ive Co	untv:		
•	y FSA Office Name and Addres	ss)		A. State Name and C	Code	B. Cou	inty Name ai Ionroe  -	
Monro	be County FSA Office	,		5. NRCS FIPS Sta	ate and	Count	y Code	
Water	cloo, IL 62298			6. Farm Number		7. Cro	p Year	
				8. Tract Number 10128		118	<u>3013                                   </u>	
9. Producer Info	rmation				10. To	be co	mpleted by	NRCS
Producer	A. NA	ME ANI	D ADDRESS	B. TAX ID NUMBER (Last 4 Digits)		etermi	NRCS Tech nation Is Fir	
Operator of Farm entered in Item 6			62295	s u.s.c. § s		02	-08-2	013
Owner(s) of tract entered in Item 8	6664 A Rd - Valmeyer		ERGER REVOCABLE TRUST 62295	SUSC 98		2	-8-20 -8-20	(3
Tenant(s) or Sharecropper(s) on farm entered in Item 6 Note: Enter "NONE" if	BLUFFVIEW FARM INC 8490 Forest Blvd - C	aseyv	ille, IL 62232	aUSC \$1		NA		
conservation prov with a red "X" on t a) Please make a b) Complete Item	isions of the Food Security Act of the attached photocopies. pplicable review(s) for the determ 10 above when the NRCS techn	1985, a nination ical det	ermination becomes final and Part C	ted above. Applicable	field(s)	or area	a(s) are mar	
	that the producer's eligibility for							
Denda 1	Office Representative (Comple		T C – TO BE COMPLETED BY NE		(MM	JPD-YY J 9 /	rred to NR( YY) / J	
	OF DETERMINATION	FAIL	refused access to the land to		II NRC	o was	<b>→</b>	
FSA Enter a "check" requested	for the type of determination		1. Check If Revi	ewed			2, Field Nos.	3. Acres
		П	The field does "NOT" meet requirem	nents of the HELC provi	isions			
1. HELC	Compliance Determination		The field meets the requirements of t	the HELC provisions.				
2 FT Verify v	vetland classification on land that	X	The area identified is a CW.				A	0.2
2. was pla	nted to an agricultural commodity		The area identified is "NOT" CW.				<b></b>	
.5   IXII	ine whether an area is a wetland	X,	The area identified is a wetland that	was converted after 11/	28/90.		A	0,2
that wa الخسر	s converted after 11/28/90.	NEC.	The area identified is "NOT" a wetlan					#l 4
			S Certification: NRCS reviewed the f ntered in Part C, Items 2 and 3.	reiu(s) or area(s) requ	estea f	or the S	uoject rarm	ınat
		4A. \$	Signature, NRCS Representative			4B. D	ate (MM-DD-	YYYY)
			Weene Sol	naumina		C	1-07-	2013

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and artificities of the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

Date: 1/8/2013

Dillenberger Farms 6664A Rd. Valmeyer, IL 62295

CERTIFIED MAIL

Dear Dillenberger Farms;

The Food Security Act of 1985, as amended, requires any person who plants an agricultural commodity on a wetland converted after December 23, 1985, or converts a wetland after November 28, 1990 for the purpose of making production of an agricultural commodity possible, to be determined ineligible for many US Department of Agriculture (USDA) program benefits conditioned upon compliance with provisions set forth in USDA regulation 7 CFR Part 12 §12.4.

On December 18th, 2012 the Natural Resources Conservation Service (NRCS) conducted a wetland determination field investigation on Tract Number 10128 in Monroe County, Illinois. Based on the field investigation I have made a preliminary technical determination that:

- Field A shown in Section II of the attached NRCS-CPA-026E "HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION" form, contain wetlands and/or wetland violations with the labels/certifications as indicated.
- These areas met, or had met before conversion, wetland criteria of having soils that developed in wetlands, plants that grow in wetlands and soil and/or surface wetness.
- Your manipulation by removing woody vegetation in 2012 on this wetland area is considered
  a manipulation that makes the area farmable and is a violation of the wetland provisions of the
  Food Security Act of 1985, as amended. This violation may impact your ability to receive
  many USDA program benefits if an exemption is not granted.

This preliminary technical determination has been conducted for the purpose of implementing the wetland conservation provisions of the Food Security Act of 1985. This determination may not be valid for identifying the Army Corps of Engineers' (COE) Clean Water Act jurisdiction for this site. If you intend to conduct any activity that constitutes a discharge of dredged or fill material into wetlands or other waters, you should request a jurisdictional determination from the local office of the COE prior to starting the work.

The following are your rights under the USDA Administrative Appeals Process, as provided by the NRCS Appeals Procedures, 7 CFR 614, May 16, 2006, 71 FR28239. To exercise these rights you must respond to this office within 30 days of this letter.

1. You may request reconsideration and a field visit from the local office. The request must be made in writing and can be sent by email, fax, regular mail, or be hand delivered to the NRCS office located at: 140 Williamsburg Lane, Waterloo, IL 62298, ph. 618-939-6181 ext 3, fax 618-939-4647, or email wayne.johanning@il.usda.gov.

A field review will be conducted by NRCS field office personnel and an NRCS Area Technical Specialist, to review with you the basis for the preliminary technical

<u>determination</u>, answer any questions you many have, gather additional information from you concerning the preliminary determination and conduct additional field investigations if necessary.

Following the field visit, if the facts as presented at the field visit result in a determination that is no longer adverse to you as a USDA Program Participant, I will issue a final technical determination within 15 days. If, however, the determination remains adverse, I must by regulation at 7 CFR 614.7(b), forward my technical determination and all findings, including those from the field visit, to the State Conservationist for review and issuance of the final technical determination. If that determination is adverse, the State Conservationist will issue your appeal rights on the final technical determination.

2. You may also request mediation. Mediation may be used in an attempt to explain the preliminary technical determination, review other information that may be pertinent to your farming operation, and to provide a forum for a potential solution to any concerns you have with the preliminary technical determination. If you need information to assist you in deciding whether to mediate our decision you can call or e-mail the Illinois Agricultural Mediation Program or visit their web sites at <a href="www.ilagmediation.org">www.dri-inc.org</a>. To request mediation, fax, email or mail a signed request with your contact information and a copy of this determination letter to the Illinois Agricultural Mediation Program office at:

Illinois Agricultural Mediation Program
Dispute Resolution Institute, Inc.
P.O. Box 1136
Carbondale, IL 62903
Phone: (618) 549-1300

Fax: 618-351-1419 Email: iamp@dri-inc.org

Mediation must be completed within 30 days from the date of the first mediation session. If an agreement is not reached, the mediation process ends. If an agreement is reached, I will issue a final technical determination that will be issued on the basis of the mediation agreement not later than 15 calendar days from the date the mediation agreement is signed by all parties. There will be no further appeal rights available if you choose mediation and the issue is successfully resolved.

3. If you wish to expedite the formal appeal process, you may make a written request to waive your informal reconsideration and/or mediation rights of the preliminary technical determination. Such request will render the preliminary technical determination final and appealable.

Until the preliminary technical determination subject to this notification becomes a final technical determination, the Farm Service Agency (FSA) will not use the preliminary technical determination to make decisions on your eligibility for any USDA program benefits subject to the Conservation Compliance Provisions.

If you are the owner of tract 10128 and the tract is being farmed by a tenant, I urge you to discuss this letter with your tenant. Likewise, if you are the tenant of tract 10128, I urge you to discuss this letter with your landlord.

Sincerely,

Digitally signed by Bryan Fitch, o,

Bryan Fitch NRCS.

email=bryan.fltch@il.usda.gov,
c=US

Date: 2013.01.07 14:55:00 -06'00'

Designated Conservationist

Attachments:

NRCS-CPA-026E HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION with map

cc: Monroe County Soil & Water Conservation District

#### WETLAND MITIGATION PLANAGREEMENT

Name: James Dillenberger

Date: January 10, 2013

County: Monroe State: Illinois

Farm No.: 4436 Tract No.:10128 Address: 6664 A Rd Valmeyer, IL

This agreement is to stipulate the conditions which must be created and maintained by the person in order to receive good faith/mitigation exemptions which will enable the provision of USDA program benefits to the person.

I hereby agree to the terms set forth below, and understand that any willful action on my part that is not consistent with the stipulated terms that will diminish the value of the restored wetland will result in the loss of the good faith\mitigation exemption and the area will be considered converted wetland (CW + 2012). I agree that the following terms will be installed and maintained in a condition that is to the satisfaction of the Natural Resources Conservation Service (NRCS) and agree to provide the right of access to wetlands involved to USDA personnel to monitor if terms of the agreement are being carried out.

#### PART 1 - CHARACTERISTICS OF PROJECT IMPACT

- I. Project Overview: Mr. Dillenberger cleared trees from a 0.2 acre wetland in 2012. A final certified wetland determination was completed in February 2013 that determined the area met all wetland criteria.
- II. Project Location: The area is located in the SE ¼ of Section 27, T2S-R11W along Moredock Lake. (See attached map.)
- III. Characterization of Wetland Area Impacted:
  - A. Wetland Classification: PFOIA Palustrine Forested Wetland
  - B. Soils: Karnak overwash, frequently flooded. Matrix colors of 10YR4/2, 10YR5/1, and 2.5Y 5/1 within 12 inches of the soil surface. Yellowish red redox concentrations are present in all horizons from the surface down.
  - C. Vegetation: slough sedge, silver maple and black willow
  - D. Hydrology: water marks, inundation and oxidized roots
  - E. Topography: Low gradient lake shoreline

#### Part 2 – CHARACTERIZATION OF RESTORATION SITE

- I. Restoration Site Location: Same as impacted area:
- II. Site Characterization of Existing Physical Conditions:
  - A. Wetland Classification: Same as (Part 1, 3A)
  - B. Soils: Same as previously mentioned (Part 1, IIIB)

- C. Vegetation: Same as previously mentioned (Part 1, IIIC) D. Hydrology: Same as previously mentioned (Part 1, IIID)
- E. Topography: Low gradient lake shoreline

#### III. Restoration Techniques:

A. The restoration\mitigation sites shown on attached map will be planted to Bald Cypress. Refer to the table below and Illinois Job Sheet 612TS for number of trees needed and establishment specifications. For more detailed information see practice standard tree/shrub site preparation 490. Seedlings should be planted at a rate of 218 trees/acre on a 20 foot spacing. A minimum of 150 trees/acre should be living after 2 years to meet NRCS standards and specifications. If there are not 150 trees/acre the site may need to be replanted where the stand is deficient. Do not plant into frozen or extremely dry soil. Begin planting as soon as the ground can be worked in late winter or spring and complete by May 15. Seed source of all plant materials should be within a 200 mile radius of the planting site. The planting will be protected from unacceptable adverse impacts from pests, wildlife, livestock damage, chemicals or fire. After planting, the site will not be sprayed with herbicides, unless to control invasive species such as autumn olive and bush honeysuckle. Mowing is not allowed after planting.

SPECIES	NUMBER OF SEEDLINGS TO PLANT
Bald Cypress	44

- B. Re-Vegetation: The site will have some natural re-vegetation occurring from silver maple and black willow.
- C. Hydrology:

ohanning. District Conservationist

- 1. Targeted Hydrologic Regime: surface water, saturation, flooding.
- 2. Source of Water: precipitation, runoff

This mitigation agreement applies to the 1985 Food Security Act as amended, only. Other Federal, state and local permits may be required. This agreement becomes effective when signed and dated by all parties identified below.

Name, Owner/Operator

Date

FARM: 4436

Illinois

U.S. Department of Agriculture

Farm Service Agency

Prepared: 11/29/12 11:26 AM

Мопгое

Report ID: FSA-156EZ

Abbreviated 156 Farm Record

Crop Year: 2013 Page: 1 of 3

**Operator Name** 

DILLENBERGER FARMS INC

Farm Identifier dillenbergers

**Recon Number** 

2010 17133 108

Farms Associated with Operator:

3579

CRP Contract Number(s): None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP	Farm Status	Number of Tracts
918.7	711.4	711.4	0.0	0.0	0.0	0.0	Active	5
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP			FAV/WR History	
0.0	0.0	711.4	143.4	0.0			N	

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	143.3	49	50	0.0	0.0
CORN	250.4	106	154	0.0	0.0
SOYBEANS	461.1	34	41	0.0	0.0
Total Base Acres:	854.8				

Tract Number: 1140

Description: E7

N5

FAV/WR History

N

BIA Range Unit Number:

HEL Status: HEL: conservation system is being actively applied

Wetland Status: Tract does not contain a wetland

WL Violations:

None

Farmland	Cropland	DCP Cropland		WBP	WRP/EWP	CRP Cropland	GRP
2.8	2.8	2.8		0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland		Double Cropped	MPL/FWP		
0.0	0.0	2.8		0.6	0.0		
Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction		
SOYBEANS	3.4	34	41	0.0	0.0		

Total Base Acres:

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Other Producers: None

FARM: 4436

Illinois

U.S. Department of Agriculture

Prepared: 11/29/12 11:26 AM

Monroe

Report ID: FSA-156EZ

Farm Service Agency Abbreviated 156 Farm Record

Double

Cropped

Crop Year: 2013 Page: 3 of 3

Tract Number: 10128

Description: C6

FAV/WR History

BIA Range Unit Number:

HEL Status: Classified as not HEL

N

Farmland

353.0

State

Conservation

Wetland Status: Wetland determinations not complete

Cropland

202.0

Other

Conservation

WL Violations:

None

DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP
202.0	0.0	0.0	0.0	0.0

MPL/FWP

0.0	0.0	202.0		40.6	0.0
Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	40.7	49	50	0.0	0.0
CORN	71.1	106	154	0.0	0.0
SOYBEANS	130.8	34	41	0.0	0.0

**Effective** 

DCP Cropland

**Total Base Acres:** 

242.6

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Other Producers: BLUFFVIEW FARM INC

Tract Number: 11041

Description: A7

FAV/WR History

Ν

**BIA Range Unit Number:** 

HEL Status: Classified as not HEL

Wetland Status: Tract contains a wetland or farmed wetland

WL Violations:

None.

		DCP				
Farmland	Cropland	Cropland		WBP	WRP/EWP	
394.4	367.8	367.8		0.0	0.0	
State onservation C	Other Conservation	Effective DCP Croplan	d	Double Cropped	MPL/FWP	
0.0	0.0	367.8		73.1	0.0	
Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction	
WHEAT	73.0	49	50	0.0	0.0	
CORN	127.6	106	154	0.0	0.0	
SOYBEANS	240.3	34	41	0.0	0.0	
Total Base Acr	es: 440.9					

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

SUSIE DILLENBERGER

Other Producers: BLUFFVIEW FARM INC

MARY ANN DILLENBERGER

#### United States Department of Agriculture



Natural Resources Conservation Service Marion Area Office 502 Comfort Drive, Suite D Marion, IL 62959

on, IL 62959 email: bryan.fitch@il.usda.gov

Ph: (618)993-5396 ext 141 Fax: (618)993-3126

Date: February 8th, 2013

Dillenberger Farms 6664 A Rd. Valmeyer, IL 62295

CERTIFIED MAIL

Dear Dillenberger Farms;

The Food Security Act of 1985, as amended, requires any person who plants an agricultural commodity on a wetland converted after December 23, 1985, or converts a wetland after November 28, 1990 for the purpose of making production of an agricultural commodity possible, to be determined ineligible for many US Department of Agriculture (USDA) program benefits conditioned upon compliance with provisions set forth in USDA regulation 7 CFR Part 12 §12.4.

On December 18<sup>th</sup>, 2012, the Natural Resources Conservation Service (NRCS) conducted a wetland determination field investigation on Tract Number 10128 in Monroe County, Illinois. Based on the field investigation I made a preliminary technical determination that:

- Field A shown in Section II of the attached NRCS-CPA-026E "HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION" form, contain wetlands and/or wetland violations with the labels/certifications as indicated.
- These areas met, or had met before conversion, wetland criteria of having soils that developed in wetlands, plants that grow in wetlands and soil and/or surface wetness.
- Your manipulation by removing woody vegetation in 2012 on this wetland area is considered
  a manipulation that makes the area farmable and is a violation of the wetland provisions of the
  Food Security Act of 1985, as amended. This violation may impact your ability to receive
  many USDA program benefits if an exemption is not granted.

The preliminary technical determination was provided to you on January 8<sup>th</sup>, 2013 and was based on the findings listed above. The preliminary technical determination provided you a 30 day time period to provide us with additional information upon which to make our determination. The 30 day period was reached on February 8<sup>th</sup>, 2013. There has been no response to our office on the preliminary technical determination. As required by regulation and NRCS policy, I am making the preliminary technical determination a final technical determination.

The final technical determination has been made for the purpose of implementing the wetland conservation provisions of the Food Security Act of 1985. This determination may not be valid for identifying the Army Corps of Engineers' (COE) Clean Water Act jurisdiction for this site. If you intend to conduct any activity that constitutes a discharge of dredged or fill material into wetlands or other waters, you should request a jurisdictional determination from the local office of the COE prior to starting the work.

Helping People Help the Land
An Equal Opportunity Provider and Employer

The following are your rights under the USDA Administrative Appeals Process, as provided by the NRCS Appeals Procedures, 7 CFR 614, May 16, 2006, 71 FR28239.

1. Appeal to the Monroe County Farm Service Agency (FSA) County Committee

Monroe County FSA 140 Williamsburg Lane, Waterloo, IL 62298 Phone 618-939-6181 ext 2 Fax 618-939-4647

2. Appeal to the National Appeals Division

USDA National Appeals Division P.O. Box 68806 Indianapolis, Indiana 46268-0806 Phone: 1-800-541-0457 (317) 875-9648

TTY: 1-800-791-3222 FAX: (317) 875-9674

All requests for appeal on the final technical determination must be made in writing no later than 30 days from the date of the final technical determination.

If you are the owner of tract 10128 and the tract is being farmed by a tenant, I urge you to discuss this letter with your tenant. Likewise, if you are the tenant of tract 10128, I urge you to discuss this letter with your landlord.

Sincerely,

Bryan Fitch

Digitally signed by Bryan Fitch

DN: cn=Bryan Fitch, o, ou-uUSDAMRCS, emall-bryan.fitch@flusda.gov,
c=US ...

Date: 2013.02.06 10:38:30 -06'00'

Designated Conservationist

Attachment: NRCS-CPA-026E HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION with map

cc: Monroe County Soil & Water Conservation District



## **United States Department of Agriculture**

## Natural Resources Conservation Service

NRCS-CPA-026e 9/2012

#### HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION

Name James Dillenberger Dillenberger Farms Inc		Request	C ( Manage		
Address:	i64 A Rd Valmeyer, IL 62295		Date: 11/292012	County: Monroe	
Agency or Requesting	Person Determination:	FSA 569	Tract No: 10128	FSA Farm No.: 4436	

#### Section I - Highly Erodible Land

Is a soil survey now available for making a highly erodible land determination?	Yes
Are there highly erodible soil map units on this farm?	

Fields in this section have undergone a determination of whether they are highly erodible land (HEL) or not; fields for which an HEL Determination has not been completed are not listed. In order to be eligible for USDA benefits, a person must be using an approved conservation system on all HEL.

Field(s)	HEL(Y/N)	Sodbust (Y/N)	Acres	Determination Date

The Highly Erodible Land determination was completed in the

#### Section II - Wetlands

Fields in this section have had wetland determinations completed. See the Definition of Wetland Label Codes for additional information regarding allowable activities under the wetland conservation provisions of the Food Security Act and/or when wetland determinations are necessary to determine USDA program eligibility.

Field(s)	Wetland Label*	Occurrence Year (CW)	Acres	Determination Date	Certification Date
Α	CW	2012	0.2	1/8/2013	2/8/2013
		<u> </u>			

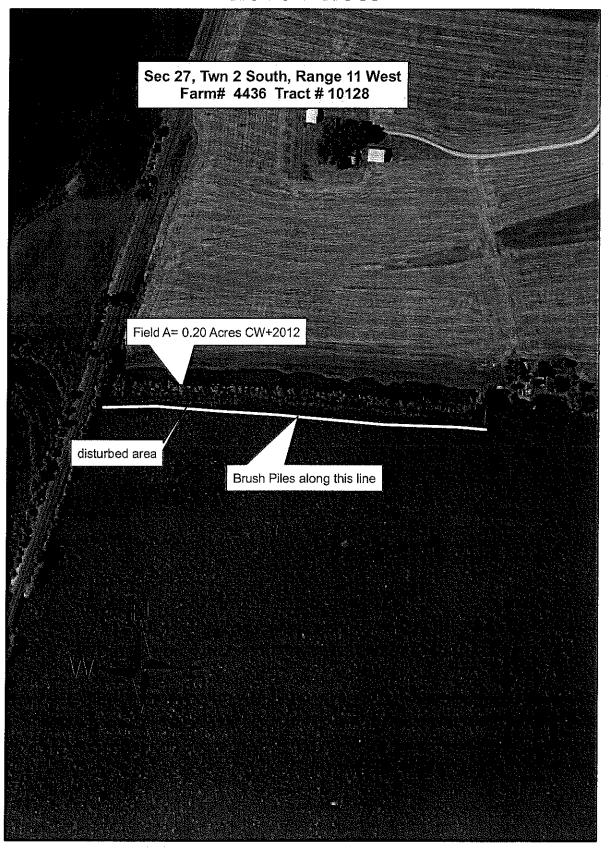
The wetland determination was completed in the Field	It was Mailed	to the person on	2/8/2013
Remarks:			

I certify that the above determinations are correct and were conducted in accordance with policies and procedures contained in the National Food Security Act Manual.

Signature Designated Conservationist	Date
Bryan Fitch Digitally signed by Bryan Fitch, o, our-USDA-NRCS, email-bryan fitch@il.usda.gov, c=US Date: 2013.02.05 08:02:45 -06:00'	1/8/13

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

# Dillenberger Wetland Compliance 2010 Photo





March 1, 2013

United States
Department of
Agriculture

Farm Service Agency Monroe County FSA 138 Williamsburg Lane Waterloo, IL 62298

Dillenberger Farms 6664 A Rd Valmeyer, IL 62295

Dear Jim:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s). This determination of ineligibility applies to you and any persons affiliated with you. To date, according to information on file in this office including your AD-1026 Highly Erodible Land Conservation and Wetland Conservation Certification, identified affiliated producer(s) are Chad Dillenberger, and Jason Siburt.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.

138 Williamsburg Lane Waterloo, IL 62298 The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance programs. (Not all prohibited basis apply to all programs.) Persons with disabilities who require alternative means for communications of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800)-795-3272 (voice) or (202)-720-6382 (TDD). USDA is an equal opportunity provider and employer.

In addition to the above notification of benefit and payment ineligibility and applicable appeal rights, FSA would also like to notify you of good faith relief provisions that may be available for inadvertent violations. Benefit and payment eligibility may be restored if it is determined you acted in good faith as approved by FSA and you agree to implement practices according to a mitigation or restoration plan within an agreed period, not to exceed one year.

If you decide to request a good faith determination, please use Form AD-1069, which has been provided for your convenience, and complete items 7 and 8. As opposed to completing item 7 you may attach a sheet to explain your request. You may also request to meet with the County Committee to provide any information that will assist in their review. If you determine to pursue this option, the completed Form AD-1069 needs to be returned to this office.

Sincerely,

Linda Mathews

County Executive Director

cc: Wayne Johanning, NRCS District Conservationist Ray Gvillo, District Director

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United States
Department of
Agriculture

Farm Service Agency Monroe County FSA 138 Williamsburg Lane Waterloo, IL 62298

March 1, 2013

James & Susie Dillenberger Rev. Tr 6664 A Rd Valmeyer, IL 62295

Dear Jim:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s). This determination of ineligibility applies to you and any persons affiliated with you. To date, according to information on file in this office including your AD-1026 Highly Erodible Land Conservation and Wetland Conservation Certification, identified affiliated producer(s) are Chad Dillenberger, and Jason Siburt.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.

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In addition to the above notification of benefit and payment ineligibility and applicable appeal rights, FSA would also like to notify you of good faith relief provisions that may be available for inadvertent violations. Benefit and payment eligibility may be restored if it is determined you acted in good faith as approved by FSA and you agree to implement practices according to a mitigation or restoration plan within an agreed period, not to exceed one year.

If you decide to request a good faith determination, please use Form AD-1069, which has been provided for your convenience, and complete items 7 and 8. As opposed to completing item 7 you may attach a sheet to explain your request. You may also request to meet with the County Committee to provide any information that will assist in their review. If you determine to pursue this option, the completed Form AD-1069 needs to be returned to this office.

Sincerely,

Linda Mathews

County Executive Director

cc: Wayne Johanning, NRCS District Conservationist Ray Gvillo, District Director

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United States Department of Agriculture Farm Service Agency Monroe County FSA 138 Williamsburg Lane Waterloo, IL 62298

March 1, 2013

Jason Siburt 3079 State Route 156 Waterloo, IL 62298

Dear Jason:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s).

Furthermore, according to Handbook 6-CP (Rev. 4) subparagraphs 602 E and F and paragraph 302, a producer determined to be an 'affiliated person' of the producer/entity determined to be in violation is also affected due to the affiliated relationship. A copy of the policy is enclosed. As such, this determination of ineligibility applies to you as an affiliate of Dillenberger Farms. Because of this affiliated relationship, other options to review potential restoration of benefits to you may exist in addition to those outlined below; feel free to contact me for additional review as these actions are determined on a case-by-case basis.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

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### 138 Williamsburg Lane Waterloo, IL 62298

The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance programs. (Not all prohibited basis apply to all programs.) Persons with disabilities who require alternative means for communications of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800)-795-3272 (voice) or (202)-720-6382 (TDD). USDA is an equal opportunity provider and employer.

In addition to the above notification of benefit and payment ineligibility and applicable appeal rights, FSA would also like to notify you of good faith relief provisions that may be available for inadvertent violations. Benefit and payment eligibility may be restored if it is determined you acted in good faith as approved by FSA and you agree to implement practices according to a mitigation or restoration plan within an agreed period, not to exceed one year.

If you decide to request a good faith determination, please use Form AD-1069, which has been provided for your convenience, and complete items 7 and 8. As opposed to completing item 7 you may attach a sheet to explain your request. You may also request to meet with the County Committee to provide any information that will assist in their review. If you determine to pursue this option, the completed Form AD-1069 needs to be returned to this office.

Sincerely,

Linda Mathews

County Executive Director

cc: Wayne Johanning, NRCS District Conservationist Ray Gvillo, District Director

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its program and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.



United States
Department of
Agriculture

Farm Service Agency Monroe County FSA 138 Williamsburg Lane Waterloo, IL 62298

March 1, 2013

Chad Dillenberger 6664 A Rd Valmeyer, IL 62295

Dear Chad:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s).

Furthermore, according to Handbook 6-CP (Rev. 4) subparagraphs 602 E and F and paragraph 302, a producer determined to be an 'affiliated person' of the producer/entity determined to be in violation is also affected due to the affiliated relationship. A copy of the policy is enclosed. As such, this determination of ineligibility applies to you as an affiliate of Dillenberger Farms. Because of this affiliated relationship, other options to review potential restoration of benefits to you may exist in addition to those outlined below; feel free to contact me for additional review as these actions are determined on a case-by-case basis.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.

# 138 Williamsburg Lane Waterloo, IL 62298

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If you decide to request a good faith determination, please use Form AD-1069, which has been provided for your convenience, and complete items 7 and 8. As opposed to completing item 7 you may attach a sheet to explain your request. You may also request to meet with the County Committee to provide any information that will assist in their review. If you determine to pursue this option, the completed Form AD-1069 needs to be returned to this office.

Sincerely,

Linda Mathews

County Executive Director

cc: Wayne Johanning, NRCS District Conservationist Ray Gvillo, District Director

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cc: Name, NRCS District Conservationist
DD Name

In the event a producer files a good faith relief request for the HELC/WC violation and the COC wants to approve, Handbook 6-CP paragraphs 631 and 632 require SED approval with technical concurrence by the NRCS State Conservationist. To assist in this review process, submit the following items (copies only). Do not staple documents (if mailed), put in chronological order (with most recent on top), no front/back- front only for additional copying, preference is to scan in the file and email.

Short cover memo to SED sent to attention of CEPD- Donald or Jamie.

applicable COC minutes

completed AD-1068/1069 and request for good faith from producer if separate from AD-1068/1069

FSA's noncompliance letter notification to producer

FSA-569

NRCS final determination letter

NRCS status review documentation, work sheets, notes, CPO the producer was found in violation of (if there was one and may not be one for WC), etc. according to 6-CP par. 716E

after good fatth update flags in farm records + eligibility records

AD-1026 and 1026A/Producer Farm Data Report

156-EZ for the farm

map of the acreage in violation

\*any other info you feel may be needed to help substantiate good faith determination

DATE	-3/1/13
	Dellenbergen Ims
	Finds PER: Non King - par 302, 602
	Allenberger Ins-Ineligible need 1069  James Dielenberger 1r-Ineligible meid 1069  Chad Dillenberger need/069  Jason Sibiert affliates & ineligible need 106  Blufferin Imo - no affliation  Holden Harrest of Chad & Jason - no affliation
	a 1069 must be completed by the first 4 producers listed above
 	· · · · · · · · · · · · · · · · · · ·

# Mathews, Linda - FSA, Waterloo, IL

From:

King, Don - FSA, Springfield, IL

Sent:

Monday, February 25, 2013 10:52 AM

To:

Mathews, Linda - FSA, Waterloo, IL; Diebal, Jamie - FSA, Springfield, IL; Hedge, Connie -

FSA, Springfield, IL; Riggins, Gail - FSA, Springfield, IL

Cc:

Schwarze, Lisa - FSA, Waterloo, IL; Gvillo, Ray - FSA, Edwardsville, IL

Subject:

Monroe- Dillenberger WC Violation Letters for Review 2-25-13

Attachments:

Dillenberger Farms Affiliated Persons WC Violation Letter-Chad Dillenberger revised

2-26-13.docx; Dillenberger Farms Affiliated Persons WC Violation Letter- Jim Dillenberger Tr revised 2-25-13 .docx; Dillenberger Farms Affiliated Persons WC Violation Letter-Jason Dillenberger revised 2-25-13.docx; Dillenberger Farms WC

Violation Letter revised 2-25-13.docx

### Linda,

The main Dillenberger Farms letter is good to go from the Conservation and Environmental Programs Division side once you add in the year in paragraph 2 if the appeal info is/has been o.k.'ed and please insure eligibility flags are properly updated.

For the affiliates, I deleted out part of paragraph 3 that you added in. i.e. inserting that indicates they are ineligible according to 6-CP paragraph 602B as opposed to par. 602E. Take a look at that and give me a call if you want; otherwise, if they truly are affiliates when you look at par. 302, then the revised letters are good to go (again put in the year in par. 2 of the letter) once the appeal info is o.k.'ed. But if they are inelibile based on par. 602B then you'll need to reivse them to show they are not affiliated persons but a first level person.

Thanks, Don

**From:** Mathews, Linda - FSA, Waterloo, IL **Sent:** Wednesday, February 20, 2013 1:34 PM

To: King, Don - FSA, Springfield, IL; Diebal, Jamie - FSA, Springfield, IL; Hedge, Connie - FSA, Springfield, IL; Riggins,

Gail - FSA, Springfield, IL

**Cc:** Schwarze, Lisa - FSA, Waterloo, IL **Subject:** WC Violation Letters for Review

Please review and make any necessary corrections.

Sincerely,

# Linda Mathews

Linda Mathews County Executive Director Monroe County FSA Office 138 Williamsburg Lane Waterloo, IL 62298

Phone: (618) 939-6181 ext. 102

Fax: (618) 939-4647

Email: linda.mathews@il.usda.gov

Falling down is part of life, but getting back up is living!

DATE:	
SUBJECT:	F 4436, T18128 Converted Iditland
BY:	PER:
ACTION:	) On the tract under wolation the following in listed?
,	OP Rellenbeger Shorms - all land  OT Bluffresis Franco Sino - No Sand  OW Jun + Susie Dellehtunger Haust - goo land  Who will be ineligible and any just this / Fast  OT ALL land?
C -	Dell'embrerger Sarra in inder 1996,  Devot Samie Balleninger (1908)  Chad Allenberger  Chad Allenberger  (All Hey also be inclinited for all entities  They are associated with Chalger Harrest)?
	Subpathage in 601 B States that if restoration of miligation is completed by Janlet slightly would be andered for that year.  Thankele Completed 1/1/13 - Benifit regained on 301:

UNITED STATES DEPARTMENT ( AGRICULTURE	
DATE:	
SUBJECT:	
BY:	PER:
ACTION:	3 cariterical
· · · · · · · · · · · · · · · · · · ·	Length bot per summangiagh 610 A? VE  for all producers? YES
	Little benefits be loot for 2012 no matter  1 what? Wo only of no good forth.

Producer Farm Data Report

Crop Year: 2013

Date:

2/20/13 9:31 AM

Page:

1

Producer Name and Address

Recording County Office Name

DILLENBERGER FARMS INC

6664 A RD

VALMEYER IL 62295-1538

Monroe, Illinois

Telephone: 5 U.S.C. § 552(b)(6)

orio.	0 0:0:0: 3 002(b)(0)	ı

State 8	. County	Farm	Tract	Relationship to Farm Tract		Producer		Farmland	d Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland
	2	7		1220.0	903.	0	903	.0	(	0.0		903.0
	Number of Farms	Number of Tracts	F	armland	Cropla	ınd	DC Cropi		_	RP pland	_	Eff DCP Propland

State & County	Farm	Tract	Relationship to Farm Tract	Producer	Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland	HEL Code	Wetland Code
Monroe, IL	3579	9320	Operator	DILLENBERGER FARMS INC	196.1	90.6	90.6	0.0	90.6	N	DNC
			Owner	ROBERT HEAVNER							
		10756	Operator	DILLENBERGER FARMS INC	105.2	101.0	101.0	0.0	101.0	N	DNC
			Owner	ROBERT HEAVNER							
Monroe, IL	4436	1140	Owner	JAMES F & SUSAN H DILLENBERGER	2.8	2.8	2.8	0.0	2.8	SA	N
		9366	Owner/Operator	DILLENBERGER FARMS INC	74.7	53.0	53.0	0.0	53.0	N	WL
			Other Tenant	BLUFFVIEW FARM INC							
		9840	Owner	JAMES F & SUSAN H DILLENBERGER	93.8	85.8	85.8	0.0	85.8	SA	DNC
			Owner	MARY ANN DILLENBERGER							
		10128	Owner	JAMES F & SUSAN H DILLENBERGER	353.0	202.0	202.0	0.0	202.0	N	DNC
			Other Tenant	BLUFFVIEW FARM INC							
		11041	Owner	JAMES F & SUSAN H DILLENBERGER	394.4	367.8	367.8	0.0	367.8	N	WL
			Owner	MARY ANN DILLENBERGER							
			Owner	SUSIE DILLENBERGER							
			Other Tenant	BLUFFVIEW FARM INC							

Producer Farm Data Report

Crop Year: 2013

Date:

2/20/13 9:31 AM

Page:

1

Producer Name and Address

Recording County Office Name

JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Monroe, Illinois

6664 A RD

VALMEYER IL 62295-1538

Telephone: 5

J.S.C. § 552(b)(6)

Number of Farms	Number of Tracts		Farmland	Cropland	DCF Cropla		_	RP pland	_	ff DCP ropland		
1	4		844.0	658.4	658.	4	(	0.0		658.4		
State & County	Farm	Tract	Relationship to Farm Tract	Producer		Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland	HEL Code	Wetland Code
Monroe, IL	4436	1140	Owner	JAMES F & SUSAN H DILLE	NBERGER	2.8	2.8	2.8	0.0	2.8	SA	N
		9840	Owner	JAMES F & SUSAN H DILLE	ENBERGER	93.8	85.8	85.8	0.0	85.8	SA	DNC
			Owner	MARY ANN DILLENBE	RGER							
		10128	Owner	JAMES F & SUSAN H DILLE	ENBERGER	353.0	202.0	202.0	0.0	202.0	N	DNC
	÷		Other Tenant	BLUFFVIEW FARM	INC							
		11041	Owner	JAMES F & SUSAN H DILLE	ENBERGER	394.4	367.8	367.8	0.0	367.8	N	WL
			Owner	MARY ANN DILLENBE	RGER							
			Owner	SUSIE DILLENBERG	3ER							
			Other Tenant	BLUFFVIEW FARM	INC							



# Farm Records

### Links

Farm Records Links Homepage Farm Data Management

Reconstitutions Farm

Tract Reports

Manual Download Logout of eAuth

Exit FRS

# **Confirm Customer Selection**

STATE IL COUNTY Monroe **YEAR** 2013

FARM Not selected TRACT Not selected

Customer selected in SCIMS is not associated with any farms.

You have selected the following customer:

Name: 3

JASON ALLEN SIBURT

Tax ID Type: Primary Address: Social Security 3079 STATE ROUTE 156 WATERLOO, IL 62298-6303

Telephone:

6189397416

Select Again

Cancel

FRSFmDataMgmt055





#### Links

Farm Records Links Homepage Farm Data Management

Reconstitutions

Farm Tract

Reports

Manual Download Logout of eAuth

**Exit FRS** 

# **Confirm Customer Selection**

STATE IL COUNTY Monroe **YEAR** 2013

FARM Not selected TRACT Not selected

Customer selected in SCIMS is not associated with any farms.

You have selected the following customer:

Name: Tax ID:

CHAD J DILLENBERGER

Tax ID Type: Primary Address: Social Security 6664 A RD

VALMEYER, IL 62295-1538

Telephone:

6189801283

Select Again

- - - - do a selferia restaura de Orana - bettam Calacted - Vianated

Cancel

FRSFmDataMgmt055

Illinois

Monroe

Report ID: FSA-156EZ

U.S. Department of Agriculture

Farm Service Agency

Abbreviated 156 Farm Record

FARM: 4436

Prepared: 2/20/13 9:26 AM

Page: 1 of 3

Crop Year: 2013

**Operator Name** 

DILLENBERGER FARMS INC

Farm Identifier

dillenbergers

Recon Number

2010 17133 108

Farms Associated with Operator:

3579

CRP Contract Number(s): None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP	Farm Status	Number of Tracts
918.7	711.4	711.4	0.0	0.0	0.0	0.0	Active	5
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP			FAV/WR History	ACRE Contract
0.0	0.0	711.4	143.4	0.0			N	None

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	143.3	49	50	0.0	0.0
CORN	250.4	106	154	0.0	0.0
SOYBEANS	461.1	34	41	0.0	0.0
Total Base Acres:	854.8				

Tract Number: 1140

Description: E7

N5

FAV/WR History N

**BIA Range Unit Number:** 

HEL Status: HEL: conservation system is being actively applied

Wetland Status: Tract does not contain a wetland

WL Violations: None

Farmland	Cropland	DCP Cropland		WBP	WRP/EWP	CRP Cropland	GRP
2.8	2.8	2.8		0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland		Double Cropped	MPL/FWP		
0.0	0.0	2.8		0.6	0.0		
Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction		
SOYBEANS	3.4	34	41	0.0	0.0		

Total Base Acres:

3.4

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Other Producers: None

FARM: 4436

Prepared: 2/20/13 9:26 AM

Crop Year: 2013

Monroe Report ID: FSA-156EZ

Illinois

U.S. Department of Agriculture Farm Service Agency

Abbreviated 156 Farm Record

Page: 2 of 3

Tract Number: 9366

Description: D6 Section 26

FAV/WR History Ν

BIA Range Unit Number:

HEL Status: NHEL: no agricultural commodity planted on undetermined fields

Wetland Status: Tract contains a wetland or farmed wetland

WL Violations:

None

Farmland	Cropland	DCP Cropland		WBP	WRP/EWP	CRP Cropland
74.7	53.0	53.0		0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Croplar	nd	Double Cropped	MPL/FWP	
0.0	0.0	53.0		11.8	0.0	
Сгор	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction	
WHEAT	11.8	49	50	0.0	0.0	
CORN	20.6	106	154	0,0	0.0	
SOYBEANS	32.4	34	41	0.0	0.0	
Total Base Ad	res: 64.8					

Owners: DILLENBERGER FARMS INC Other Producers: BLUFFVIEW FARM INC

Tract Number: 9840

Description: E7

FAV/WR History Ν

BIA Range Unit Number:

HEL Status: HEL: conservation system is being actively applied

Wetland Status: Wetland determinations not complete

WL Violations:

Farmland	Cropland	DCP Cropland		WBP	WRP/EWP	c
93.8	85.8	85.8		0.0	0.0	
State Conservation	Other Conservation	Effective DCP Croplar	nd	Double Cropped	MPL/FWP	
0.0	0.0	85.8		17.3	0.0	
Сгор	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction	
WHEAT	17.8	49	50	0.0	0.0	
CORN	31.1	106	154	0.0	0.0	
SOYBEANS	54.2	34	41	0.0	0.0	
Total Base Ac	res: 103.1					

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

MARY ANN DILLENBERGER

Other Producers: None

FARM: 4436

Prepared: 2/20/13 9:26 AM

Page: 3 of 3

FAV/WR History

N

Crop Year: 2013

Illinois

Monroe Report ID: FSA-156EZ U.S. Department of Agriculture

Farm Service Agency

Abbreviated 156 Farm Record

Tract Number: 10128

Description: C6

**BIA Range Unit Number:** 

HEL Status: NHEL: no agricultural commodity planted on undetermined fields

Wetland Status: Wetland determinations not complete

WL Violations:

None

***************************************							
Farmland	Cropland	DCP Cropland		WBP	WRP/EWP	CRP Cropland	C
353.0	202.0	202.0		0.0	0.0	0.0	
State Conservation	Other Conservation	Effective DCP Croplan	nd	Double Cropped	MPL/FWP		
0.0	0.0	202.0		40.6	0.0		
Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction		
WHEAT	40.7	49	50	0.0	0.0		
CORN	71.1	106	154	0.0	0.0		
SOYBEANS	130.8	34	41	0.0	0.0		
Total Base Ac	res: 242.6						

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Other Producers: BLUFFVIEW FARM INC

Tract Number: 11041

Description: A7

FAV/WR History Ν

BIA Range Unit Number:

HEL Status: NHEL: no agricultural commodity planted on undetermined fields

Wetland Status: Tract contains a wetland or farmed wetland

WL Violations:

None

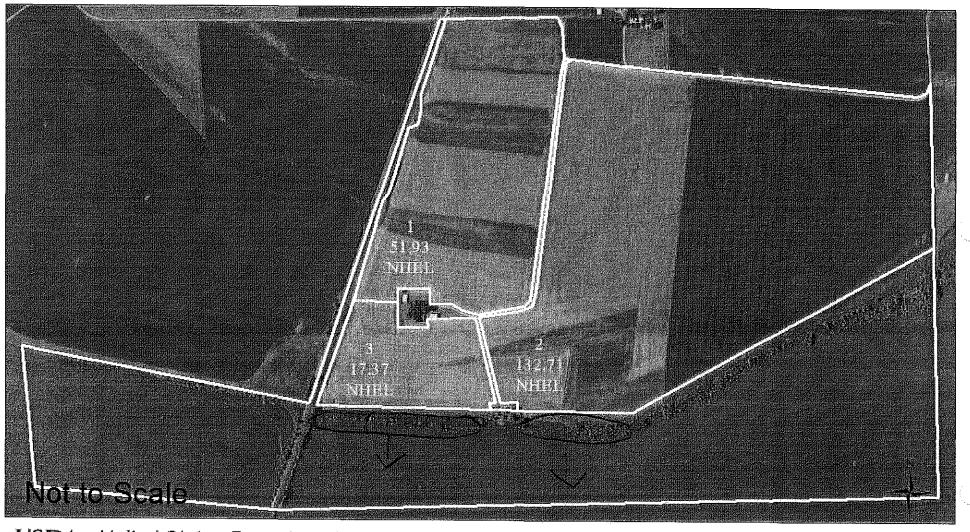
Farmland	Cropland	DCP Cropland		WBP	WRP/EWP	
394.4	367.8	367.8		0.0	0.0	
State Conservation	Other Conservation	Effective DCP Cropland	ſ	Double Cropped	MPL/FWP	
0.0	0.0	367.8		73.1	0.0	
Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction	
WHEAT	73.0	49	50	0.0	0.0	
CORN	127.6	106	154	0.0	0.0	
SOYBEANS	240.3	34	41	0.0	0.0	
Total Base Ac	res: 440.9					

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

SUSIE DILLENBERGER

Other Producers: BLUFFVIEW FARM INC

MARY ANN DILLENBERGER





United States Department of Agriculture Farm Service Agency

Monroe County, IL

Farm: 4436 Tract: 10128

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area.

Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

February 09, 2011

# fsa\_gis\_layers.SDE.wet\_p\_il133 Wetland Determination Identifiers

- Restricted Use
- □ Limited Restrictions
- Exempt from Conservation Compliance Provisions

From:

Schwarze, Lisa - FSA, Waterloo, IL

Sent:

Tuesday, May 14, 2013 2:45 PM

To:

Martin, Kimberly - FSA, Springfield, IL; Diebal, Jamie - FSA, Springfield, IL

Cc:

Mathews, Linda - FSA, Waterloo, IL

Subject:

FSA-493

Attachments:

20130514142950058.pdf

Kim,

I have attached FSA-493's for the wetland violation we had here in Monroe County. Please let me know if you need anything else from us.

Thanks

Lisa Schwarze Monroe County Program Technician

Tel: 618 939 6181 x104 Fax: 618 939 4647

----Original Message----

From: Lisa [mailto:Lisa.Schwarze@il.usda.gov]

Sent: Tuesday, May 14, 2013 2:30 PM To: Schwarze, Lisa - FSA, Waterloo, IL Subject: Message from "RICOHG3001N01"

This E-mail was sent from "RICOHG3001N01" (Aficio MP C3001).

Scan Date: 05.14.2013 14:29:49 (-0500) Queries to: <u>do not reply@il.usda.gov</u>

scan from Ricoh

FSA-493 (02-06-12)				RTMENT OF AG arm Service Ager		E					f Farm Payment and iion Data on Prior Report
	HIGHL	Y ERODIBLE LANI	CONSERVA	TION/WETLA (WORKSHEET)		SERVATION	VIOLATION DA	TA		YES [	№√
PART A - FSA	-569 DATA (	Copy data from corre	sponding FSA-5	69)							
2. Control Number	3. Crop Year	4. FSA Administrative C		5. NRCS FIPS State Code (Enter if diffe		6. Farm Nun	nber 7. Tract N	Number 8.	Acres	9. Type of \	/iolation (Check one):
		A. State Name Illinois	Code 17	Code (Enter it anne	reni irom ilem 4,	'				A. HELC	
1	2012	B. County Name	Code	17-133		4436	101	28	0.2	B. Planting	on CW
			133							C. Wetland	Conversion after 11/28/90
PART B - PRO	DUCER DA	「A (FSA-493 must be c	ompleted for each	producer associa	ated as OW.	OP, OO, or OT o	n farm listed in Part	A and their a	ffiliates. FSA-49	3 must be	completed for each
10. Producer's Nan	ity in which the	y have an interest.)			0-1026 Filed?					e Name & Co	
Dillenberger		1 // / 45		· — `	NO NO	-3 ) 14. GEN APP	roved \$ amount shall be entere	d from AD-1065	1 11 1	ois - 17	1
		5 U.S.C. § 552(b)			i no E		ted in Part A. Other co		Orny		
		AND EXEMPTION I						FSA-493 for	the crop year, c	lo not comp	lete Part C again.
Attaci	n this FSA-493	to a photocopy of the pr	evious FSA-493 r	eport that has Pa	rt C complet	ed for the produc	er.)				
1. PROGRAMS		IFIC:		······································			<u>.</u>				
	A. Program		B, Farm No,	C. Cropland	D. Status	E. Requested	F. Reinstated	G. Reason	H. Exemption Ap	PA proval	RTD-REASON CODES
				Acres	(OO. OP, OW, OT)	Benefits	Benefits	Code (See Part D)	Level (Code & (See Part E	Date) Cod	
						(\$)	(\$)	-	S - 5/9/20	- '	
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										4	AD-1069 WC
										5	NRCS Reversed
										6	Misaction/Misinformation
										7	Other: (Enter in Part C, Item 3
2. PROGRAMS	- NOT FARM	SPECIFIC:					<del>-</del>		· · · · · · · · · · · · · · · · · · ·	PΑ	RTE - EXEMPTION
46°		_ A.		** * / ********************************		В.	C.	D.	E		APPROVAL LEVEL
		Program				Requested Benefits	Reinstated Benefits	Reason Code (See	Exemption Ap Level (Code &	Date)	
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2 Description of	Code 7 option	in found Coarling 200									National
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Cleared conv	verted wet	land after 11/28	•				Logotion of Office			J.	National Judicial Court
Cleared conv	verted wet	land after 11/28	•	eparer		4C. Name and	Location of Office	138W	iliansbu	J.	National

This form is avai	lable electron	ically.										
FSA-493				RTMENT OF AG							arm Payment and Data on Prior Report	
(02-06-12)			Fa	ırm Service Ager	тсу					Exemption	Toata off flor Report	
	HIGHLY	ERODIBLE LAND	CONSERVA	TION/WETLA (WORKSHEET		SERVATION V	/IOLATION DA	TA		YES	ио 🗸	
PART A - FSA-	569 DATA (	Copy data from corres	ponding FSA-56									
2, Control Number	3. Crop Year	4. FSA Administrative Co		NRCS FIPS State		6. Farm Num	ber 7. Tract N	lumber 8.	Acres 9,	Type of Viol	ation (Check one):	
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		b. county (valle	133						C.	Wetland Co	onversion after 11/28/90 ✓	
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Count 10. Producer's Nam		/ have an interest.)	mber 12. ID Typ	ne: 12 AF	0-1026 Filed?				15. State Na	me & Code	16. County Name & Code	
James & Susa		0			NO [	14. GPR Appr Note: GPR a	oved \$ mount shall be entered	from AD-1068	1		Monroe - 133	
Revocable Tr		<b>+</b>				for County list	ed in Part A. Other co	unties leave bla	nk.			
		AND EXEMPTION D						FSA-493 for	the crop year, do n	ot complet	e Part C again.	
1. PROGRAMS			3VIOUS F 3A-493 IE	pon mai nas Pa	n C complete	ea for the produce	71.)					
I, PROGRAMS	A.	IFIC;	В.	C.	D.	E.	F.	T G.	Н,	DART	D - REASON CODES	
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										6	Misaction/Misinformation	
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		land after 11/28	/1990									
4A./Preparer's S				eparer		4C. Name and	Location of Office		1 . /h	4D. I	Date Signed	
	Mad in	. 1	DT	- F		m C	/ _ /38	william	buy Cic	Δ.	5-14-7012	
The U.S. Department of	of Agriculture (USDA	A) prohibits discrimination in all o	fits programs and activi	ties on the basis of ra-	ce, color, national	origin, age, disability.	and where applicable, sex	erioo, + marital status, fa	milial status, parental sta	tus, religion, s	Date Signed  5~14~2013  exual orientation, political beliefs,	
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(02-06-12)			0.8		TMENT OF AG m Service Age	'	Exemption Data on Prior Report						
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PART A - FSA	-569 DATA (	Copy data from corre	sponding			)							
2. Control Number	3. Crop Year	4. FSA Administrative C			NRCS FIPS State	e & County	6. Farm Nun	nber 7. Tra	ct Number 8	. Acres 9	. Type of Vic	lation (Check one):	
		A. State Name	Code		Code (Enter if diffe	rent from Item 4,	)			A	HELC		ΠĒ
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		B. County Name	Code 13	3							. Wetland C	onversion after 11/28/90	+-
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Cour	ity in which the	y have an interest.)											21-
10. Producer's Nar Chad Dillenh		11. Tax ID No (Last 4 Di		12. ID Type S ✓ E		D-1026 Filed?	—   14. GFN APP	proved \$ amount shall be ent	AD 400		Name & Code Ls - 17	e 16. County Name & ( Monroe - 133	2006
chad biliem	erger	5 U.S.C. § 552)		3[4]		SET MOE		amount snau pe ent sted in Part A. Other		O Oing		Homeoc 133	
PART C - FAR	M PAYMENT	T AND EXEMPTION I	DATA (If	Part C for	the producer a	nd county lis	ited above was co	ompleted on anot	her FSA-493 for	the crop year, do	nat comple	te Part C again.	
Attaci	h this FSA-493	to a photocopy of the pi	evious FS	SA-493 rej	port that has Pa	rt C complet	ted for the produc	er.)					
1. PROGRAMS		IFIC:			· <b>,</b>								
	A. Program	1	Fai	B. rm No.	C. Cropland	D. Status	E, Requested	F. Reinstated	G. Reason	H. Exemption Appre	PAR1	FD - REASON CODES	
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			ļ								4	AD-1069 WC	
											5	NRCS Reversed	
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											7	Other: (Enter in Part C, Ite	#m 3
2. PROGRAMS	- NOT FARM	SPECIFIC:									PAR	TE - EXEMPTION	
		A. Program					B. Requested	C. Reinstated	D. Reason	E. Exemption Appr	oval .	APPROVAL LEVE	<b>.</b>
		riogram					Benefits	Benefits	Code (See	Level (Code & D		Description County	-
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3. Description of	Code 7 entrie	s in Item1G or Item 2D:					1.	<u> </u>		<u> </u>			\$455000
		land after 11/28	/1990										
4A. Preparer's S	Signature/		4B. T	itle of Pre	parer		4C. Name and	Location of Office	ع مرایار د اور	1 1	4D.	Date Signed	
Y/m s	Mil	A) prohitifs discrimination in all		İ	PT		Moore Con	13	y Williams	oug Cr		5-14-2012	
The U.S. Denadment	of Agriculture (USD	A) prohibits discrimination in all	of its program	ns and activiti	es on the basis of ra	ce, color, nation	al origin, age. disability.	and where applicable	sex, marital status, f	amilial status, parehtal s	tatus, religion,	sexual orientation, political bei	iefs,

FSA-493 (02-06-12)			U.S. DI	EPARTMENT OF Farm Service		<b>E</b>				1		arm Payment and n Data on Prior Repo	ort
		Y ERODIBLE LAN		(WORKSH		SERVATION	VIOLATION DA	ATA			ÆS 🗌	NO 🗸	
		Copy data from corre											
2. Control Number	3. Crop Year	4. FSA Administrative 0			State & County if different from Item 4.	6, Farm Nun	iber 7. Tract	Number 8,	Acres	9. Ty	pe of Viol	ation (Check one):	
		A. State Name	Code	Code (Enter)	ir amerent from item 4,	'				A. H	ELC		
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		B. County Maine	133							C. W	etland Co	nversion after 11/28/90	17
PART B - PRO	DUCER DA	TA (FSA-493 must be o	ompleted for e	each producer as	sociated as OW.	OP. OO. or OT o	n farm listed in Par	t A and their a	ffiliates. I				
Coun	ty in which the	y have an interest.)											
10. Producer's Nam		11. Tax ID N (Last 4 D		D Type: 1  ✓ E	13. AD-1026 Filed? YES ✓ NO	- 14. GFIXAPP		·	1	15. State Nam Illinois	-	16. County Name & Monroe - 133	
Jason Siburt		5 U.S.C. § 552(t	SI SI	<b>→</b>	AFR A NO		amount shall be entere ted in Part A. Other co		Only 1	lilnois	- 1/	Monroe - 133	3
PART C - FAR	M PAYMENT	AND EXEMPTION	DATA (If Part	C for the produc	er and county lis					vear, do not	camplet	e Part C again.	
Attach	this FSA-493	to a photocopy of the p	revious FSA-4	93 report that ha	s Part C complet	ed for the produc	er.)			,,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
1. PROGRAMS	- FARM SPEC	IFIC:						•					
	A.		В.	C.	D.	E.	F.	G.	T	Н.	PART	D - REASON CODES	
	Program		Farm N	o. Cropla Acres		Requested Benefits	Reinstated Benefits	Reason Code (See		tion Approval (Code & Date)	Code	Description	
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											5	NRCS Reversed	
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2. PROGRAMS	- NOT FARM	SPECIFIC:				В.	C.	D.	т	E.	PART	E – EXEMPTION APPROVAL LEVI	EL
		Program				Requested	Reinstated	Reason		otion Approval	Code	Description	
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		s in Item1G or Item 2D: land after 11/2	3/1990										
4A. Preparer's S				of Preparer		4C Name and	Location of Office		,		40 1	Date Signed	
2,000,000	DORW	<b>1.1</b>	_	)T-		1 -0. Italie allo	Location of Office	Williams	buy	CIC		ū	
	737 114 . 37	1.71.77	i 1	· \		Monroe Co	and a line	/ Ja. 7		1106		5-14-2013	

From:

Martin, Kimberly - FSA, Springfield, IL

Sent:

Monday, April 15, 2013 11:14 AM

To:

Schwarze, Lisa - FSA, Waterloo, IL; Diebal, Jamie - FSA, Springfield, IL

Cc:

Mathews, Linda - FSA, Waterloo, IL

Subject:

RE: Good Faith Relief for WC Violation 1of3

Lisa & Linda-

Just have a couple details to clean up before I submit the information for SED concurrence.

The FSA-569 is only showing a Final Technical Determination date for Dillenger Farms Inc. Have the preliminary determinations been finalized for James F and Susan H Dillenger Revocable Truat sand Bluffview Farm Inc? If so, can NRCS enter the applicable dates in item 10 and scan/email it to me?

When I didn't see the dates on the FSA-569, I looked for the NRCS final determination letters and only saw the one for Dillenger Farms - did any of the other producers receive the letters? And the FSA WC Violation Letter?

Could you get a copy of the preliminary determination letter NRCS sent to the producers? y

Thanks, Kim

----Original Message----

From: Schwarze, Lisa - FSA, Waterloo, IL Sent: Friday, March 29, 2013 8:55 AM

To: Diebal, Jamie - FSA, Springfield, IL; Martin, Kimberly - FSA, Springfield, IL

Cc: Mathews, Linda - FSA, Waterloo, IL

Subject: Good Faith Relief for WC Violation 1of3

Sent to

STO

4-19-13

Hi Jamie and Kim,

Attached is a request for Good Faith Relief for WC Violation. I tried to scan as one PDF file and was getting error message "file to big", therefore I am sending three emails to both of you. Please let me know if you need anything else for our office.

Thanks

Lisa Schwarze Monroe County Program Technician

Tel: 618 939 6181 x104

Fax: 618 939 4647

----Original Message----

From: Lisa [mailto:Lisa.Schwarze@il.usda.gov]

From:

Schwarze, Lisa - FSA, Waterloo, IL

Sent:

Friday, April 19, 2013 9:55 AM

To:

Martin, Kimberly - FSA, Springfield, IL; Diebal, Jamie - FSA, Springfield, IL

Cc:

Mathews, Linda - FSA, Waterloo, IL

Subject: Attachments: Good Faith Relief for WC Violation
Dillenbergers WC.pdf; Dillenbergers WC\_FSA Letters.pdf

Kim,

I have attached requested documents and please see responses below. If you need anything else please let me know.

Thanks,

*Lisa Schwarze*Monroe County Program Technician
Tel: 618 939 6181 x104

Fax: 618 939 4647



Farm Service Agency

----Original Message----

From: Martin, Kimberly - FSA, Springfield, IL Sent: Monday, April 15, 2013 11:14 AM

To: Schwarze, Lisa - FSA, Waterloo, IL; Diebal, Jamie - FSA, Springfield, IL

Cc: Mathews, Linda - FSA, Waterloo, IL

Subject: RE: Good Faith Relief for WC Violation 1of3

Lisa & Linda-

Just have a couple details to clean up before I submit the information for SED concurrence.

The FSA-569 is only showing a Final Technical Determination date for Dillenberger Farms Inc. Have the preliminary determinations been finalized for James F and Susan H Dillenberger Revocable Truat sand Bluffview Farm Inc? If so, can NRCS enter the applicable dates in item 10 and scan/email it to me? NRCS has added the dates and Bluffview Farm Inc. is not associated with this violation because he is not associated with the area; Linda talked to Don King about this when it all started.

When I didn't see the dates on the FSA-569, I looked for the NRCS final determination letters and only saw the one for Dillenberger Farms - did any of the other producers receive the letters? And the FSA WC Violation Letter? The other producers did not receive a letter from NRCS, after talking to our DC, if you look at the last paragraph of their letters is says "If you are the owner of the tract 10128 and the tract is being farmed by a tenant, I urge you to discuss this letter with your tenant. Likewise, if you are the tenant of the tract 10128, I urge you to discuss this letter with your landlord. I have attached the FSA letters for all producers involved including the members of Dillenberger Farms Inc.

Could you get a copy of the preliminary determination letter NRCS sent to the producers? I have attached the preliminary letter from NRCS with the 569 document, again please see the last paragraph of NRCS letter.

Thanks, Kim

This for	rii Is avallat	ole electronically.								
FSA-59 (02-06-1		<b>U.S. DEPARTMENT OF</b> A		JLTURE	1, Control Number					
j	ИD	CS REPORT OF HELC AN	in w	COMPLIANCE	2. Was This Determina	This Determination Requested by NRCS?				
_	MIX	C3 REPORT OF HELD AN	AD AAC	CONFLIANCE	YES	ио 🏻				
PART A	A-TO BE	COMPLETED BY FSA								
TO: NF	RCS				4. FSA Administrative (	county:				
FROM:	3. (County	FSA Office Name and Addres	s)		A. State Name and Code B. County Name and Illinois - 17 Monroe - 1					
	Monroe	County FSA Office	•		5. NRCS FIPS State a	nd Coun	ty Code			
		00, IL 62298			6. Farm Number	7. Cr	op Year			
					8. Tract Number 10128		<u>3013</u>			
9. Prod	ucer Inform	nation			10.	To be co	ompleted by	NRCS		
Pro	ducer	A. NAI	ME ANI	) ADDRESS	B. TAX ID E NUMBER (Last 4 Digits)	Determ	NRCS Tech Ination is Fir I-DD-YYYY)			
	or of Farm in Item 6.	DILLENBERGER FARMS IN 6664 A Rd - Valmeyer,		62295	SUSC.§4	02	-08-2	013		
0		JAMES F & SUSAN H DII 6664 A Rd - Valmeyer,		ERGER REVOCABLE TRUST	5 U.S.C. § :	シ	-8-20	77		
	s) of tract in Item 8.	0004 A Ru - Valmeyel	, 111	02273		***************************************				
		BLUFFVIEW FARM INC			5 U.S.C. § !	1//				
Tenant(s		8490 Forest Blvd - Ca	seyv:	ille, IL 62232		NA				
Sharecro on farm					·					
in Item 6 Enter "N	IONE" If									
applicab	le.		•	`						
conserva with a red a) Pleas b) Comp	ation provisi d "X" on the e make app plete item 10	ons of the Food Security Act of attached photocopies. plicable review(s) for the determ above when the NRCS techni	1985, a	ermination becomes final and Part C	ated above. Applicable field	(s) or are	a(s) are mai			
		hat the producer's eligibility for			146 6		1. Les			
*· · · )"	La A	ffice Representative (Complet W. L	е Рап	ы)		rate Kere 1M-DD-Y 1 (-) 9	erred to NR( YYY) //.2.	CS .		
PARTB	- TYPE O	F DETERMINATION	PAR	C - TO BE COMPLETED BY No refused access to the land to		RCS was				
FSA Enter		r the type of determination		1. Check tf Rev			2. Field Nos.	3. Acres		
1.	HELC Co.	mpliance Determination		The field does "NOT" meet requirer						
	Varibuses	lland classification on land that	X	The field meets the requirements of The area identified is a CW.	the HELC provisions.		А	0.2		
2.		ed to an agricultural commodity		The area identified is "NOT" CW.			/\	0,0		
3.		e whether an area is a wetland converted after 11/28/90.	X	The area identified is a wetland that  The area identified is "NOT" a wetland			A	0,2		
	max mas c			The area identified is NOT a wettar Certification: NRCS reviewed the Intered in Part C, Items 2 and 3.			l subject farm	that		
				Signature, NRCS Representative		14B F	ate (мм-DD-	YYYYI		
			., ., .	Wayne Jo	Prauring	I.	01-07-			

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and adjiviles of the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistence program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, avdiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

Date: 1/8/2013

Dillenberger Farms 6664A Rd. Valmeyer, IL 62295

CERTIFIED MAIL

Dear Dillenberger Farms;

The Food Security Act of 1985, as amended, requires any person who plants an agricultural commodity on a wetland converted after December 23, 1985, or converts a wetland after November 28, 1990 for the purpose of making production of an agricultural commodity possible, to be determined ineligible for many US Department of Agriculture (USDA) program benefits conditioned upon compliance with provisions set forth in USDA regulation 7 CFR Part 12 §12.4.

On December 18th, 2012 the Natural Resources Conservation Service (NRCS) conducted a wetland determination field investigation on Tract Number 10128 in Monroe County, Illinois. Based on the field investigation I have made a preliminary technical determination that:

- Field A shown in Section II of the attached NRCS-CPA-026E "HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION" form, contain wetlands and/or wetland violations with the labels/certifications as indicated.
- These areas met, or had met before conversion, wetland criteria of having soils that developed in wetlands, plants that grow in wetlands and soil and/or surface wetness.
- Your manipulation by removing woody vegetation in 2012 on this wetland area is considered
  a manipulation that makes the area farmable and is a violation of the wetland provisions of the
  Food Security Act of 1985, as amended. This violation may impact your ability to receive
  many USDA program benefits if an exemption is not granted.

This preliminary technical determination has been conducted for the purpose of implementing the wetland conservation provisions of the Food Security Act of 1985. This determination may not be valid for identifying the Army Corps of Engineers' (COE) Clean Water Act jurisdiction for this site. If you intend to conduct any activity that constitutes a discharge of dredged or fill material into wetlands or other waters, you should request a jurisdictional determination from the local office of the COE prior to starting the work.

The following are your rights under the USDA Administrative Appeals Process, as provided by the NRCS Appeals Procedures, 7 CFR 614, May 16, 2006, 71 FR28239. To exercise these rights you must respond to this office within 30 days of this letter.

1. You may request reconsideration and a field visit from the local office. The request must be made in writing and can be sent by email, fax, regular mail, or be hand delivered to the NRCS office located at: 140 Williamsburg Lane, Waterloo, IL 62298, ph. 618-939-6181 ext 3, fax 618-939-4647, or email wayne.johanning@il.usda.gov.

A field review will be conducted by NRCS field office personnel and an NRCS Area Technical Specialist, to review with you the basis for the preliminary technical

<u>determination</u>, answer any questions you many have, gather additional information from you concerning the preliminary determination and conduct additional field investigations if necessary.

Following the field visit, if the facts as presented at the field visit result in a determination that is no longer adverse to you as a USDA Program Participant, I will issue a final technical determination within 15 days. If, however, the determination remains adverse, I must by regulation at 7 CFR 614.7(b), forward my technical determination and all findings, including those from the field visit, to the State Conservationist for review and issuance of the final technical determination. If that determination is adverse, the State Conservationist will issue your appeal rights on the final technical determination.

2. You may also request mediation. Mediation may be used in an attempt to explain the preliminary technical determination, review other information that may be pertinent to your farming operation, and to provide a forum for a potential solution to any concerns you have with the preliminary technical determination. If you need information to assist you in deciding whether to mediate our decision you can call or e-mail the Illinois Agricultural Mediation Program or visit their web sites at <a href="https://www.ilagmediation.org">www.dri-inc.org</a>. To request mediation, fax, email or mail a signed request with your contact information and a copy of this determination letter to the Illinois Agricultural Mediation Program office at:

Illinois Agricultural Mediation Program
Dispute Resolution Institute, Inc.
P.O. Box 1136
Carbondale, IL 62903
Phone: (618) 549-1300
Fax: 618-351-1419

Email: iamp@dri-inc.org

Mediation must be completed within 30 days from the date of the first mediation session. If an agreement is not reached, the mediation process ends. If an agreement is reached, I will issue a final technical determination that will be issued on the basis of the mediation agreement not later than 15 calendar days from the date the mediation agreement is signed by all parties. There will be no further appeal rights available if you choose mediation and the issue is successfully resolved.

3. If you wish to expedite the formal appeal process, you may make a written request to waive your informal reconsideration and/or mediation rights of the preliminary technical determination. Such request will render the preliminary technical determination final and appealable.

Until the preliminary technical determination subject to this notification becomes a final technical determination, the Farm Service Agency (FSA) will not use the preliminary technical determination to make decisions on your eligibility for any USDA program benefits subject to the Conservation Compliance Provisions.

If you are the owner of tract 10128 and the tract is being farmed by a tenant, I urge you to discuss this letter with your tenant. Likewise, if you are the tenant of tract 10128, I urge you to discuss this letter with your landlord.

Sincerely,

Bryan Fitch NRCS, email=bryanfitch@ilusda.gov, c=US Date: 2013.01.07 14:55:00 -06:00

Designated Conservationist

### Attachments:

NRCS-CPA-026E HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION with map

cc: Monroe County Soil & Water Conservation District



United States
Department of
Agriculture

Farm Service Agency Monroe County FSA 138 Williamsburg Lane Waterloo, IL 62298

March 1, 2013

James & Susie Dillenberger Rev. Tr 6664 A Rd Valmeyer, IL 62295

Dear Jim:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s). This determination of ineligibility applies to you and any persons affiliated with you. To date, according to information on file in this office including your AD-1026 Highly Erodible Land Conservation and Wetland Conservation Certification, identified affiliated producer(s) are Chad Dillenberger, and Jason Siburt.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.

138 Williamsburg Lane Waterloo, IL 62298 The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance programs. (Not all prohibited basis apply to all programs.) Persons with disabilities who require alternative means for communications of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800)-795-3272 (voice) or (202)-720-6382 (TDD). USDA is an equal opportunity provider and employer.

In addition to the above notification of benefit and payment ineligibility and applicable appeal rights, FSA would also like to notify you of good faith relief provisions that may be available for inadvertent violations. Benefit and payment eligibility may be restored if it is determined you acted in good faith as approved by FSA and you agree to implement practices according to a mitigation or restoration plan within an agreed period, not to exceed one year.

If you decide to request a good faith determination, please use Form AD-1069, which has been provided for your convenience, and complete items 7 and 8. As opposed to completing item 7 you may attach a sheet to explain your request. You may also request to meet with the County Committee to provide any information that will assist in their review. If you determine to pursue this option, the completed Form AD-1069 needs to be returned to this office.

Sincerely,

Linda Mathews

County Executive Director

ce: Wayne Johanning, NRCS District Conservationist Ray Gvillo, District Director

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March 1, 2013

United States
Department of
Agriculture

Farm Service Agency Monroe County FSA 138 Williamsburg Lane Waterloo, IL 62298

Jason Siburt 3079 State Route 156 Waterloo, IL 62298

Dear Jason:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s).

Furthermore, according to Handbook 6-CP (Rev. 4) subparagraphs 602 E and F and paragraph 302, a producer determined to be an 'affiliated person' of the producer/entity determined to be in violation is also affected due to the affiliated relationship. A copy of the policy is enclosed. As such, this determination of ineligibility applies to you as an affiliate of Dillenberger Farms. Because of this affiliated relationship, other options to review potential restoration of benefits to you may exist in addition to those outlined below; feel free to contact me for additional review as these actions are determined on a case-by-case basis.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.

### 138 Williamsburg Lane Waterloo, IL 62298

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In addition to the above notification of benefit and payment ineligibility and applicable appeal rights, FSA would also like to notify you of good faith relief provisions that may be available for inadvertent violations. Benefit and payment eligibility may be restored if it is determined you acted in good faith as approved by FSA and you agree to implement practices according to a mitigation or restoration plan within an agreed period, not to exceed one year.

If you decide to request a good faith determination, please use Form AD-1069, which has been provided for your convenience, and complete items 7 and 8. As opposed to completing item 7 you may attach a sheet to explain your request. You may also request to meet with the County Committee to provide any information that will assist in their review. If you determine to pursue this option, the completed Form AD-1069 needs to be returned to this office.

Sincerely,

Lińda Mathews

County Executive Director

cc: Wayne Johanning, NRCS District Conservationist Ray Gvillo, District Director

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March 1, 2013

United States
Department of
Agriculture

Farm Service Agency Monroe County FSA 138 Williamsburg Lane Waterloo, IL 62298

Chad Dillenberger 6664 A Rd Valmeyer, IL 62295

Dear Chad:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

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Furthermore, according to Handbook 6-CP (Rev. 4) subparagraphs 602 E and F and paragraph 302, a producer determined to be an 'affiliated person' of the producer/entity determined to be in violation is also affected due to the affiliated relationship. A copy of the policy is enclosed. As such, this determination of ineligibility applies to you as an affiliate of Dillenberger Farms. Because of this affiliated relationship, other options to review potential restoration of benefits to you may exist in addition to those outlined below; feel free to contact me for additional review as these actions are determined on a case-by-case basis.

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Sincerely,

Linda Mathews

County Executive Director

Wayne Johanning, NRCS District Conservationist

Ray Gvillo, District Director

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From:

Martin, Kimberly - FSA, Springfield, IL

Sent:

Tuesday, March 19, 2013 1:25 PM

To:

Schwarze, Lisa - FSA, Waterloo, IL; Diebal, Jamie - FSA, Springfield, IL

Subject:

RE: Good Faith Relief for WC Violation

Lisa-

Please scan/email the following to me:

To assist in this review process, submit the following items (copies only). Do not staple documents (if mailed), put in chronological order (with most recent on top), no front/back- front only for additional copying, preference is to scan in the file and email.

Short cover memo to SED sent to attention of CEPD- Donald or Jamie.

applicable COC minutes

completed AD-1068/1069 and request for good faith from producer if separate from AD-1068/1069

FSA's noncompliance letter notification to producer

FSA-569

NRCS final determination letter

NRCS status review documentation, work sheets, notes, CPO the producer was found in violation of (if there was one and may not be one for WC), etc. according to 6-CP par. 716E

AD-1026 and 1026A/Producer Farm Data Report

156-EZ for the farm

map of the acreage in violation

\*any other info you feel may be needed to help substantiate good faith determination

Thanks,

### Kim Martin

Kimberly Martin | Conservation and Environmental Programs Assistant Farm Service Agency U.S. Department of Agriculture 3500 Wabash Ave | Springfield, IL 62711

Phone: 217.241.6600 ext. 225 | Fax: 217.241.6619

Kim

WOX I TO BOX

From: Schwarze, Lisa - FSA, Waterloo, IL Sent: Friday, March 15, 2013 3:48 PM

To: Diebal, Jamie - FSA, Springfield, IL; Martin, Kimberly - FSA, Springfield, IL

**Subject:** Good Faith Relief for WC Violation

Jamie/Kim

I have a WC Violation that our COC has granted good faith and the SED needs to concur; what do we need to send along with the AD-1069 to the STO for STC/SEC approval?

Thanks

Lisa Schwarze Monroe County Program Technician

Tel: 618 939 6181 x104 Fax: 618 939 4647

USDA FSA Unted States Department of Agriculture Farm Service Agency

#### Schwarze, Lisa - FSA, Waterloo, IL

From:

Schwarze, Lisa - FSA, Waterloo, IL

Sent:

Friday, March 29, 2013 8:55 AM

To:

Diebal, Jamie - FSA, Springfield, IL; Martin, Kimberly - FSA, Springfield, IL

Cc:

Mathews, Linda - FSA, Waterloo, IL

Subject:

Good Faith Relief for WC Violation 1of3

Attachments:

20130329083834542.pdf

Hi Jamie and Kim,

Attached is a request for Good Faith Relief for WC Violation. I tried to scan as one PDF file and was getting error message "file to big", therefore I am sending three emails to both of you. Please let me know if you need anything else for our office.

Thanks

Lisa Schwarze

Monroe County Program Technician

Tel: 618 939 6181 x104 Fax: 618 939 4647

----Original Message----

From: Lisa [mailto:Lisa.Schwarze@il.usda.gov]

Sent: Friday, March 29, 2013 8:39 AM To: Schwarze, Lisa - FSA, Waterloo, IL Subject: Message from "RICOHG3001N01"

This E-mail was sent from "RICOHG3001N01" (Aficio MP C3001).

Scan Date: 03.29.2013 08:38:34 (-0500) Queries to: <u>do\_not\_reply@il.usda.gov</u>

scan from Ricoh



Farm and Foreign Agricultural Services Farm Service Agency Monroe County FSA 138 Williamsburg Lane Waterloo, IL 62298 (618) 939-6181 ext. 2

TO: Sherrie Giamanco - SED; Attention CEPD - Jamie or Kim

FROM: Monroe County COC; Attention CED -Linda Mathews or PT - Lisa Schwarze

DATE: March 28, 2013

SUBJECT: Good Faith Relief for WC Violation

COC reviewed the AD-1069, Request for Good Faith Relief Wetland Conservation (WC) Violations, submitted by Dillenberger Farms, Chad Dillenberger, Jason Siburt and James and Susan Dillenberger Trust. According to 6-CP (Rev. 4) paragraph 621, the COC feels that the producer acted in good faith without intent to violate and the action was not a scheme or device to avoid compliance on the 0.2 acres. Therefore, the COC is submitting to the State Executive Director (SED) for concurrence as required by 6-CP (Rev.4), paragraph 631. Attached is all required documents.

If you have any questions, please feel free to give us a call at (618) 939-6181.

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466A 537A 538A

MONROE	COUNTY COM	IMITTEE .	MEETING	<u>MINUTES</u>
4748	11731	5.0	CP33	
4722	11348	10.6	CP9	
4722	11348	33.8	CP23	



C. COC reviewed the AD-1069, Request for Good Faith Relief Wetland Conservation (WC) Violations, submitted by Dillenberger Farms, Chad Dillenberger, Jason Siburt, and James and Susan Dillenberger Trust.

On January 8, 2013 the NRCS conducted a wetland determination field investigation. It was determined that the removal of woody vegetation in 2012 was considered a manipulation that makes the area farmable and is a violation of the wetland provisions.

March 15, 2013 all producers involved submitted a good faith request stating that they were unaware of the program procedure and that they would restore the .2 of acre as required by the Wetland mitigation Plan/Agreement.

According to 6-CP (Rev. 4) paragraph 621, the COC feels that the producer acted in good faith without intent to violate and the action was not a scheme or device to avoid compliance on the .2 acre. Therefore, the COC will submit to the State Executive Director (SED) for concurrence as required by 6-CP (Rev. 4), paragraph 631.

#### 4. PRODUCTION ADJUSTMENT:

- **A.** The COC has delegated the authority to CED, Linda Mathews, to approve CCC-509 for the 2013 program year per DAFP Conference Notes dated January 17, 2013.
- **B.** COC approved the following 2013 CCC-509, Direct and Counter Cyclical Program Contract, and, if applicable, the CCC-509 ACRE, Average Crop Revenue Election (ACRE) Program Irrevocable Election, according to 1-DCP (Rev. 3), paragraph 353.

- u	E 11	r-1 (1		
Farm #	Farm#	Farm#	Farm#	Farm#
17	20	41	156	254
255	272	295	487	509
548	567	579	586	604
649	739	835	1079	1149
1308	1318	1393	1597	1747
1885	1886	2013	2082	2204
2577	2561	2573	2970	2985
2987	3034	3037	3107	3110
3112	3156	3185	3215	3216
3267	3302	3318	3406	3499
3555	3687	3722	3844	3845
3846	3869	3872	3933	4018

#### WETLAND MITIGATION PLANAGREEMENT

Name: James Dillenberger

Date: January 10, 2013

County: Monroe State: Illinois

Farm No.: 4436 Tract No.:10128 Address: 6664 A Rd Valmever, IL

This agreement is to stipulate the conditions which must be created and maintained by the person in order to receive good faith/mitigation exemptions which will enable the provision of USDA program benefits to the person.

I hereby agree to the terms set forth below, and understand that any willful action on my part that is not consistent with the stipulated terms that will diminish the value of the restored wetland will result in the loss of the good faith\mitigation exemption and the area will be considered converted wetland (CW + 2012). I agree that the following terms will be installed and maintained in a condition that is to the satisfaction of the Natural Resources Conservation Service (NRCS) and agree to provide the right of access to wetlands involved to USDA personnel to monitor if terms of the agreement are being carried out.

#### PART 1 – CHARACTERISTICS OF PROJECT IMPACT

- I. Project Overview: Mr. Dillenberger cleared trees from a 0.2 acre wetland in 2012. A final certified wetland determination was completed in February 2013 that determined the area met all wetland criteria.
- II. Project Location: The area is located in the SE ¼ of Section 27, T2S-R11W along Moredock Lake. (See attached map.)
- III. Characterization of Wetland Area Impacted:
  - A. Wetland Classification: PFOIA Palustrine Forested Wetland
  - B. Soils: Karnak overwash, frequently flooded. Matrix colors of 10YR4/2, 10YR5/1, and 2.5Y 5/1 within 12 inches of the soil surface. Yellowish red redox concentrations are present in all horizons from the surface down.
  - C. Vegetation: slough sedge, silver maple and black willow
  - D. Hydrology: water marks, inundation and oxidized roots
  - E. Topography: Low gradient lake shoreline

#### Part 2 – CHARACTERIZATION OF RESTORATION SITE

- I. Restoration Site Location: Same as impacted area:
- II. Site Characterization of Existing Physical Conditions:
  - A. Wetland Classification: Same as (Part 1, 3A)
  - B. Soils: Same as previously mentioned (Part 1, IIIB)

- C. Vegetation: Same as previously mentioned (Part 1, IIIC)
- D. Hydrology: Same as previously mentioned (Part 1, IIID)
- E. Topography: Low gradient lake shoreline

#### III. Restoration Techniques:

A. The restoration\mitigation sites shown on attached map will be planted to Bald Cypress. Refer to the table below and Illinois Job Sheet 612TS for number of trees needed and establishment specifications. For more detailed information see practice standard tree/shrub site preparation 490. Seedlings should be planted at a rate of 218 trees/acre on a 20 foot spacing. A minimum of 150 trees/acre should be living after 2 years to meet NRCS standards and specifications. If there are not 150 trees/acre the site may need to be replanted where the stand is deficient. Do not plant into frozen or extremely dry soil. Begin planting as soon as the ground can be worked in late winter or spring and complete by May 15. Seed source of all plant materials should be within a 200 mile radius of the planting site. The planting will be protected from unacceptable adverse impacts from pests, wildlife, livestock damage, chemicals or fire. After planting, the site will not be sprayed with herbicides, unless to control invasive species such as autumn olive and bush honeysuckle. Mowing is not allowed after planting.

SPECIES	NUMBER OF SEEDLINGS TO PLANT
Bald Cypress	44

- B. Re-Vegetation: The site will have some natural re-vegetation occurring from silver maple and black willow.
- C. Hydrology:
  - 1. Targeted Hydrologic Regime: surface water, saturation, flooding.
  - 2. Source of Water: precipitation, runoff

This mitigation agreement applies to the 1985 Food Security Act as amended, only. Other Federal, state and local permits may be required. This agreement becomes effective when signed and dated by all parties identified below.

Selleh Funder by James Delleh (Pres)
Name, Owner/Operator

Date

Z.

Wayne Johanning, District Conservationist

Date

St. Louis Corps of Engineers Harrison ville Levee and Drainage Monroe County Farm Service Agency Monroe County Natural Resources Conservation Service

To whom it may concern: I was completely surprised when I received the phone calls last week concerning my reclaiming of

soil in Modochake. I would never knowingly Jepardize my program payments with the FSA office. The only thing I was trying to do was to push back the treeline to where we had farmed previously I did not think that you needed permission just to do that. This is the first time Since the flood of 1993 that we had q Chance to do that My dad and I bought this farm in 1975. In 1976 we planted nearly halfway across the lake. We pushed willow trees back on the shoreline in the drought of 1983 and 1988. At no time, just like now, are we trying

to gain more formfand than we originally had. Ignorance of the law is no excuse,

but that's probably what I will

٠,	
1, 1, 1, 2, 4	
<i>7</i>	
	have to claim here . In saying that,
	I know I am basically at your mercy.
	Lam Truly sorry and hope there
	to continue to coctifue this popular
	13 Some way a receive and problem
	I am truly sorry and hope there is some way to rectify this problem to everybody's satisfaction.
	$\mathcal{D} = \mathcal{D}$
	Respectfully
	( ) illedit
	James Dilleburg
	1011 1 = = =
	Dillenberger Farms Inc. James Dillenberger (Pres)
	James Dillenberger (Pres)
	·



## DEPARTMENT OF THE ARMY ST. LOUIS DISTRICT CORPS OF ENGINEERS 1222 SPRUCE STREET ST. LOUIS, MISSOURI 63103-2833

REPLY TO ATTENTION OF:

December 04, 2012

Regulatory Branch

File Number: MVS-2012-710

Mr. James Dillenberger 6664 A. Road Valmeyer, IL 62295

Mr. Dillenberger:

This correspondence is in regards to an alleged unauthorized discharge and excavation of materials within a "Water of the United States", through work that you may have conducted in and adjacent to Moredock Lake, a waterbody connected to the Mississippi River, in Monroe County, Illinois. It was reported to our office that tree clearing and grading activities had taken place at the below listed location. A site visit to the area on November 27, 2012, revealed that work had occurred at the subject property in what appeared to be jurisdictional areas involving waters of the United States. On November 28, 2012, this office was again notified that work was taking place at the site. An officer from Illinois Conservation Police met with the individual onsite conducting the work, and on November 29, 2012, during a conversation with my staff, you verified that the work at the site had ceased. Specifically, the area of potential violation was verified to be located in Section 27, Township 02 South, Range 11 West, Monroe County, Illinois.

Section 404 of the Clean Water Act authorizes the Department of the Army to establish and enforce a Regulatory Program to protect "Waters of the United States." "Waters of the United States" includes all rivers, lakes, large and small streams with perennial, intermittent, and ephemeral flow, artificial water bodies, and wetlands. This office has jurisdiction to investigate and enforce Section 404 within the St. Louis District boundaries.

You are to contact this office and provide any information that you desire to furnish concerning this matter within 14 days of receiving this letter. Within the same period, you are also to arrange with this office for an on-site inspection so that we may evaluate the condition of the site. You must also furnish the name(s) and current mailing address (es) of any contractor(s) who assisted you in this activity. Contractors are considered co-liable for work efforts, as well as restoration or remediation of violation sites.

Any correspondence concerning this matter should be addressed to Alan Edmondson, Regulatory Branch, at the letterhead address. You may contact him at (314) 331-8811, to schedule and arrange for the details of an on-site meeting.

Sincerely,

Keith McMullen

Illinois Section Chief

7. M& Muller

Regulatory Branch

#### Copy Furnished:

Mr. Yone Yu US Environmental Protection Agency Wetland and Watersheds Section WW16J 77 W. Jackson Boulevard Chicago, IL 60604-3590

Mr. Mike Diedrichsen IDNR, Office of Water Resources One Natural Resources Way Springfield, Illinois 62702-1271

Mr. Dan Heacock, IEPA, Bureau of Water 1021 North Grand Avenue East Springfield, Illinois 62794-9276



March 1, 2013

United States
Department of
Agriculture

Farm Service Agency Monroe County FSA 138 Williamsburg Lane Waterloo, IL 62298

Dillenberger Farms 6664 A Rd Valmeyer, IL 62295

Dear Jim:

The Food Security Act of 1985, as amended, provides that, unless exempt, persons are ineligible for benefits under certain programs administered by USDA (program applicability is found in FSA's Handbook 6-CP (Rev. 4) paragraph 3 and is enclosed) if they convert a wetland after November 28, 1990, by draining, dredging, filling, leveling, or any other means for the purpose, or to have the effect, of making the production of an agricultural commodity possible. A recent status review completed by the Natural Resources Conservation Service (NRCS) revealed that there is a Wetland Conservation (WC) compliance violation on Farm 4436, Tract 10128, Field A.

In their review, NRCS made a preliminary technical determination on January 8, 2013 that .2 acre(s) on tract 10128 had been cleared and the area was a wetland. The NRCS preliminary technical determination became final on February 8, 2013. The determination revealed that your manipulation by removing woody vegetation in 2012 on this wetland area is considered a manipulation that makes the area farmable and is a violation of the wetland provisions of the Food Security Act of 1985.

According to 6-CP (Rev. 4) subparagraph 601 B, if the action that caused the violation was converting a wetland, then the Farm Service Agency (FSA) is required to deny benefits for the crop or program year that equals the calendar year in which NRCS determines the conversion activity took place, in this case 2012. This denial of benefits continues for all subsequent years until the wetland is restored or mitigated before January 1 of the subsequent crop year(s). This determination of ineligibility applies to you and any persons affiliated with you. To date, according to information on file in this office including your AD-1026 Highly Erodible Land Conservation and Wetland Conservation Certification, identified affiliated producer(s) are Chad Dillenberger, and Jason Siburt.

As a result, you are ineligible to receive all benefits on farm 4436 in addition to any other farms requesting benefits under this producer name. Also, any entity that this producer name is a first level member of may have payments reduced according to your share. The amount to be refunded will be included in a separate letter.

The reviewing authority has taken into consideration all available avenues of relief under specific program procedure in the handbook(s) applicable to the issue(s) under appeal, and the 7-CP handbook (7 CFR § 718). The reviewing authority has examined the record and found no evidence to support relief under the finality rule, misaction/misinformation, and failure to fully comply provisions.

You may appeal this determination to the County Committee by filing a written request no later than 30 calendar days after you receive this notice in accordance with the FSA appeal procedures found at 7 CFR Part 780. If you appeal to the County Committee, you have the right to an informal hearing which you or your representative may attend either personally or by telephone. If you appeal this determination to the County Committee, you may later appeal an adverse determination of the County Committee to the FSA State Committee or the National Appeals Division or request mediation. To appeal, write to the County Committee at the following address and explain why you believe this determination is erroneous.

138 Williamsburg Lane Waterloo, IL 62298 The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance programs. (Not all prohibited basis apply to all programs.) Persons with disabilities who require alternative means for communications of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800)-795-3272 (voice) or (202)-720-6382 (TDD). USDA is an equal opportunity provider and employer.

In addition to the above notification of benefit and payment ineligibility and applicable appeal rights, FSA would also like to notify you of good faith relief provisions that may be available for inadvertent violations. Benefit and payment eligibility may be restored if it is determined you acted in good faith as approved by FSA and you agree to implement practices according to a mitigation or restoration plan within an agreed period, not to exceed one year.

If you decide to request a good faith determination, please use Form AD-1069, which has been provided for your convenience, and complete items 7 and 8. As opposed to completing item 7 you may attach a sheet to explain your request. You may also request to meet with the County Committee to provide any information that will assist in their review. If you determine to pursue this option, the completed Form AD-1069 needs to be returned to this office.

Sincerely,

Linda Mathews

County Executive Director

cc: Wayne Johanning, NRCS District Conservationist Ray Gvillo, District Director

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its program and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

This form is availab	ole electronically.	j		)					
FSA-569 (02-06-12)	U.S. DEPARTMENT OF Farm Service Ag		JLTURE	1. Control Number	er				
NR	CS REPORT OF HELC A	ND W	COMPLIANCE	2. Was This Dete	This Determination Requested by NRCS? YES NO				
PARTA - TO BE	COMPLETED BY FSA			1 YES	N				
TO: NRCS	COM ELIED DI IOA			4. FSA Administra	ative Co	untv	-		
	FSA Office Name and Addres	·e)					ounty Name and Code Monroe - 133		
Monroe	County FSA Office lliamsburg Lane	13)		5. NRCS FIPS S	tate and	Count	y Code		
	00, IL 62298			6. Farm Number 4436		7. Cr	op Year 30/3		
				8. Tract Number 10128					
9. Producer Inforn	nation				10. T	o be co	mpleted by	NRCS	
Producer	A. NA	ME ANI	D ADDRESS	B. TAX ID NUMBER (Last 4 Digits)		Determi	NRCS Tech nation Is Fir -DD-YYYY)		
Operator of Farm entered in Item 6.		DILLENBERGER FARMS INC 5664 A Rd - Valmeyer, IL 62295							
Owner(s) of tract entered in Item 8.									
Tenant(s) or Sharecropper(s) on farm entered in Item 6 Note: Enter "NONE" if	BLUFFVIEW FARM INC 8490 Forest Blvd - Ca	aseyv	ille, IL 62232	5050.51					
applicable.									
conservation provisi with a red "X" on the a) Please make app	ons of the Food Security Act of attached photocopies.  Discable review(s) for the determ	1985, a	n identified as having a potential nor as amended, for the crop year indica checked in Part B. ermination becomes final and Part (	ated above. Applicable	e field(s)	) or are	a(s) are mai		
	hat the producer's eligibility for				10 5				
Denda /	ffice Representative (Comple Whenes	te Part	в)			te Kete 1-pp-y\ (3/9/	rred to NRI	JS	
	F DETERMINATION	PAR	C - TO BE COMPLETED BY No refused access to the land to		k if NRC	S was	<b>&gt;</b>		
FSA Enter a "check" to requested	r the type of determination		1. Check If Rev	iewed			2. Field Nos.	3. Acres	
	mpliance Determination		The field does "NOT" meet requirer		visions				
Varify wet	wetland classification on land that X The area identified is a CW.								
	ed to an agricultural commodity		The area identified is "NOT" CW.				A	0,2	
	whether an area is a wetland	X	The area identified is a wetland that The area identified is "NOT" a wetla	<del></del>		28/00	A	0.2	
			Certification: NRCS reviewed the ntered in Part C, Items 2 and 3.				subject farm	that	
			Signature, NRCS Representative			4B, D	ate (MM-DD-	YYYY)	
Weine Acaring 01-07-20									

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and adjulies or the basis of race, color, neutral origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, 0ffice of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

#### **United States Department of Agriculture**



Natural Resources Conservation Service Marion Area Office 502 Comfort Drive, Suite D Marion, IL 62959

Ph: (618)993-5396 ext 141 Fax: (618)993-3126 email: bryan.fitch@ii.usda.gov

Date: February 8<sup>th</sup>, 2013

Dillenberger Farms 6664 A Rd. Valmeyer, IL 62295

CERTIFIED MAIL

Dear Dillenberger Farms;

The Food Security Act of 1985, as amended, requires any person who plants an agricultural commodity on a wetland converted after December 23, 1985, or converts a wetland after November 28, 1990 for the purpose of making production of an agricultural commodity possible, to be determined ineligible for many US Department of Agriculture (USDA) program benefits conditioned upon compliance with provisions set forth in USDA regulation 7 CFR Part 12 §12.4.

On December 18<sup>th</sup>, 2012, the Natural Resources Conservation Service (NRCS) conducted a wetland determination field investigation on Tract Number 10128 in Monroe County, Illinois. Based on the field investigation I made a preliminary technical determination that:

- Field A shown in Section II of the attached NRCS-CPA-026E "HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION" form, contain wetlands and/or wetland violations with the labels/certifications as indicated.
- These areas met, or had met before conversion, wetland criteria of having soils that developed in wetlands, plants that grow in wetlands and soil and/or surface wetness.
- Your manipulation by removing woody vegetation in 2012 on this wetland area is considered
  a manipulation that makes the area farmable and is a violation of the wetland provisions of the
  Food Security Act of 1985, as amended. This violation may impact your ability to receive
  many USDA program benefits if an exemption is not granted.

The preliminary technical determination was provided to you on January 8<sup>th</sup>, 2013 and was based on the findings listed above. The preliminary technical determination provided you a 30 day time period to provide us with additional information upon which to make our determination. The 30 day period was reached on February 8<sup>th</sup>, 2013. There has been no response to our office on the preliminary technical determination. As required by regulation and NRCS policy, I am making the preliminary technical determination a final technical determination.

The final technical determination has been made for the purpose of implementing the wetland conservation provisions of the Food Security Act of 1985. This determination may not be valid for identifying the Army Corps of Engineers' (COE) Clean Water Act jurisdiction for this site. If you intend to conduct any activity that constitutes a discharge of dredged or fill material into wetlands or other waters, you should request a jurisdictional determination from the local office of the COE prior to starting the work.

Helping People Help the Land

The following are your rights under the USDA Administrative Appeals Process, as provided by the NRCS Appeals Procedures, 7 CFR 614, May 16, 2006, 71 FR28239.

1. Appeal to the Monroe County Farm Service Agency (FSA) County Committee

Monroe County FSA 140 Williamsburg Lane, Waterloo, IL 62298 Phone 618-939-6181 ext 2 Fax 618-939-4647

2. Appeal to the National Appeals Division

USDA National Appeals Division P.O. Box 68806 Indianapolis, Indiana 46268-0806 Phone: 1-800-541-0457

(317) 875-9648

TTY: 1-800-791-3222 FAX: (317) 875-9674

All requests for appeal on the final technical determination must be made in writing no later than 30 days from the date of the final technical determination.

If you are the owner of tract 10128 and the tract is being farmed by a tenant, I urge you to discuss this letter with your tenant. Likewise, if you are the tenant of tract 10128, I urge you to discuss this letter with your landlord.

Sincerely,

Bryan Fitch

Digitally signed by Bryan Fitch, o, oue-USDANRCS, email-bryan fitch, o, oue-USDANRCS, email-bryan fitch, oigness, oue-USDANRCS, email-b

Designated Conservationist

Attachment: NRCS-CPA-026E HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION with map

cc: Monroe County Soil & Water Conservation District



### United States Department of Agriculture

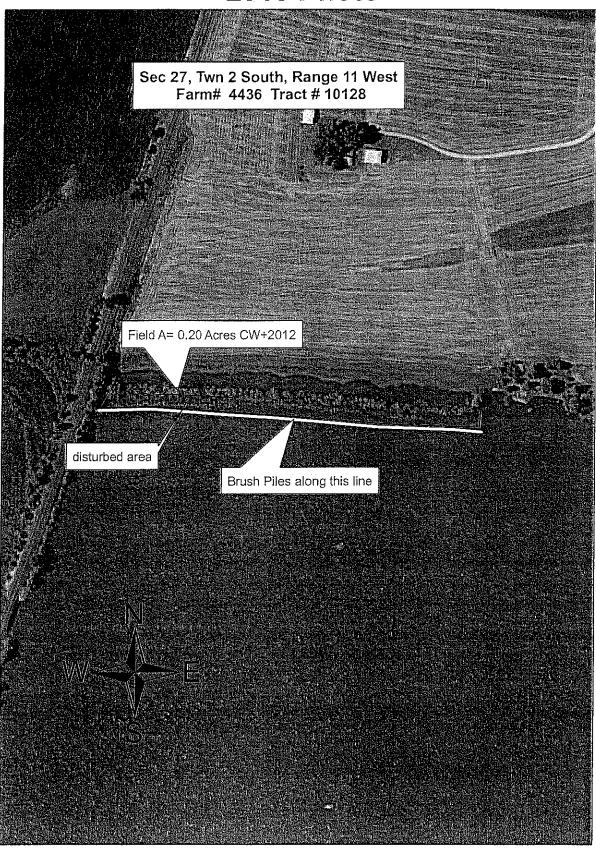
#### Natural Resources Conservation Service

NRCS-CPA-026e 9/2012

HIGHL	YEI	RODIBLE LA	AND AND WET	LAND	CONSER	VATIO	N DET	ERMINATION
Name	Jame	s Dillenberger Dille	enberger Farms Inc	Re	equest		County: Monroe	
Address:	664 A R	d Valmeyer, IL 62295		Da	ate: 11/29201	2		
Agency or Requesting			. 569	Tr	Tract No: 10128			m 36
		i	Section I - Hig	ghly E	rodible L	and		
			making a highly ero	dible lan	d determinati	on? Ye	S	
			units on this farm?	o f vyla oti		i =1-1-,	4:1-1-1	(ITCI)
for which a	in HE	L Determination		eted are	not listed. In			(HEL) or not; fields for USDA benefits,
Field(s)	)	HEL(Y/N)	Sodbust (Y.	/ <b>N</b> )	Acres		Dete	ermination Date
		·····					<u> </u>	
The Highly	Enadi	hla I and datama	ination was complete	ad in the	<u> </u>	····	_l	
I ne mgmy	Eroui	DIE PANG GEREIM	Section 1		•			
additional is	nform	ation regarding a	land determinations llowable activities u determinations are t	nder the	wetland cons	ervation p	rovisions	of the Food
Field(s	)	Wetland Label*	Occurrence Year (CW)	Ac	res	Determin Dat		Certification Date
A		CW	2012	0.	.2	1/8/20	13	2/8/2013
The wetland	l deter	mination was co	mpleted in the Field	It	was Mailed	t	o the pers	on on 2/8/2013
Remarks:	-				•		·····	
			ons are correct and vurity Act Manual.	vere con	ducted in acco	ordance w	ith policie	es and procedures
Signature De	esigna	ted Conservation	ist	Date	:			
Brya	n Fi	Digitally signed to DN:cn=Bryan Rite email=bryan.Rite Daler 2013.02.05	ny Bryan Filich ch, o, ou=USDA-NRC5, n@il.usda.gov, c=US 08:02:45 - 06'00'			1/8/13		

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

# Dillenberger Wetland Compliance 2010 Photo



ORIGINAL - FSA COPY

Form Approved - OMB No. 0560-0185

## HIGHLY EN 3LE LAND CONSERVATION (HELC) AND CONSERVATION (WC) CERTIFICATION

PRODUCER'S COPY

(See Page 3 for Nondiscrimination, Public Burden and Privacy Act S					
Name of Producer     Dillenberger Farms Inc	2. I.I	D. Number ( <i>Last 4 digits only)</i>	3. 0	rop Year <b>20</b> 1	
Do you have any interest in land that produces or could	produce an agricultural commodit	v? If "YES", or, if you are a Farm	n Loan	YES	NO
Applicant continue with Item 5. If "NO", and you are	_			Х	
For farm loan applicants only: Will you conduct any a or any other non-agricultural purposes on lands for which	· ·	· · · · · · · · · · · · · · · · · · ·	uction,	i	Х
6. Are you a landlord or tenant on any farm that will not be number or contact your County FSA Office before contact your county FSA office if you are unsure of the HE	ompleting this form. Farm Nun	iber:	farm		X
7. Do any of your landlords refuse to comply with HELC rec County FSA Office before completing this form. Fam	uirements on any farms? If "YE		ntact your		х
8. List affiliated persons with farming interests. See Page	3 for an explanation. Enter "NO	NE", if applicable.			
James Dillenberger     Jason Siburt     Chad Dillenberger					
During the crop year entered in item 3 above, or the term commodity on land for which a highly erodible determination.		or will you plant and produce an ag	ricultural	YES	NO X
10. Since December 23, 1985, or during the current crop ye anyone perform any activities to:	ar, or during the term of a reques	ted USDA loan, has anyone perfor	med, or will		
A. Create new drainage systems, or conduct land leveling been evaluated by NRCS? If "YES", indicate year(		excavation, or stump removal, tha	t has <b>NOT</b>	and a	Х
B. improve, or modify an existing drainage that has NO	been evaluated by NRCS? If "	/ES", indicate year(s):			Х
C. Maintain an existing drainage system that has NOT is Note: Maintenance is the repair, rehabilitation, or replacemen currently in agricultural production and the continued manage reconstruct or maintain the capacity of the original system or	nt of the capacity of existing drainage s ment of other areas as they were use	systems to allow for the continued use of d before December 23, 1985. This allow	vs a person to		<b>X</b> ,
	fer this AD-1026 to NRCS. If yo	ou check "YES" to Item 10C, NRC		e to	
conduct a certified wetland determination. (Contact you Continuous AD-1026 Certification:	r County FSA Office if you are	unsure about the answers to Iter	ns 5, 9 and 10.)		
A "YES" answer in Items 5, 9, or 10 authorizes FSA to re conduct a certified wetland determination. (Contact you Continuous AD-1026 Certification:  I have read the AD-1026 Appendix and understand and agree certification of compliance with the highly crodible land and videtermination is made that results in a violation and ineligibit.  I agree to the terms and conditions stated on AD-1026 Appendix responsible for any non-compliance with these provision.  I agree that I will file a revised AD-1026 if there are any coprovisions.	that my eligibility for certain USD vetland conservation provisions of ty, I agree to refund all applicable	A program benefits is contingent up the Food Security Act of 1985 as am payments.	oon this ended, and if a	Ĉ.	
* I agree to the terms and conditions stated on AD-1026 App am responsible for any non-compliance with these provision	endix on all land in which I have ons.	or will have an interest and understa	and that I	CI	0
<ul> <li>I agree that I will file a revised AD-1026 if there are any c provisions.</li> </ul>	nanges in my operation or activitie	s that may affect compliance with the	iese Monroe	" 4 201	,
result in loss of eligibility to persons or enterprises with w	om they are affiliated. (See Page	3 of this form for affiliated persons.)	- <sup>7/0</sup> 0,	nty FSA	
12. Signature of I hereby certify that the inform Producer I authorize NRCS to make a numbers listed above.			iowledge, and		
Producer's Sig	Jan felle Kre	3/14/ Date (	-//-/ MM-DD-YYY	<u>()</u>	
	A. Signature of FSA Representat	· · · · · · · · · · · · · · · · · · ·	13B. Date (MM-	·	<u>'</u> )

☐ NRCS COPY

Producer Farm Data Report

Crop Year: 2012

Date:

3/21/13 3:10 PM

Page:

1

Producer Name and Address

Recording County Office Name

DILLENBERGER FARMS INC

6664 A RD

VALMEYER IL 62295-1538

Monroe, Illinois

Telephone: (618) 935-2753

10128

11041

Owner

Owner

Owner

Owner

Owner

Other Tenant

Number Number of Farms of Tracts Farmland		DCP Cropland Cropland		CRP Cropland		Eff DCP Cropland		NAP				
2	7	1220.0		903.0 903	3.0	(	0.0	903.0		0.0		
State & County	Farm	Tract	Relationship to Farm Tract	Producer	Farmland	Cropland	DCP Cropland	CRP Cropland	Eff DCP Cropland	NAP	HEL Code	Wetland Code
Monroe, IL	3579	9320	Operator	DILLENBERGER FARMS INC	196.1	90.6	90.6	0.0	90.6	0.0	N	DNC
			Owner	ROBERT HEAVNER						0.0		
		10756	Operator	DILLENBERGER FARMS INC	105.2	101.0	101.0	0.0	101.0	0.0	N	DNC
			Owner	ROBERT HEAVNER						0.0		
Monroe, IL	4436	1140	Owner	JAMES F & SUSAN H DILLENBERGEF	₹ 2.8	2.8	2.8	0.0	2.8	0.0	SA	N
		9366	Owner/Operator	DILLENBERGER FARMS INC	74.7	53.0	53.0	0.0	53.0	0.0	N	WL
			Other Tenant	BLUFFVIEW FARM INC						0.0		
		9840	Owner	JAMES F & SUSAN H DILLENBERGER	93.8	85.8	85.8	0.0	85.8	0.0	SA	DNC
			Owner	MARY ANN DILLENBERGER						0.0		

353.0

394.4

202.0

367.8

202.0

367.8

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WL

JAMES F & SUSAN H DILLENBERGER

**BLUFFVIEW FARM INC** 

JAMES F & SUSAN H DILLENBERGER

MARY ANN DILLENBERGER

SUSIE DILLENBERGER

BLUFFVIEW FARM INC

Illinois

U.S. Department of Agriculture

FARM: 4436

Monroe

Farm Service Agency

Prepared: 11/29/12 11:26 AM

Crop Year: 2013

Report ID: FSA-156EZ

Abbreviated 156 Farm Record

Page: 1 of 3

Operator Name

DILLENBERGER FARMS INC

Farm Identifier

Recon Number

dillenbergers

2010 17133 108

Farms Associated with Operator:

3579

CRP Contract Number(s): None

Farmland	Cropland	DCP Cropland	WBP	WRP/EWP	CRP Cropland	GRP	Farm Status	Number of Tracts
918.7	711.4	711.4	0.0	0.0	0.0	0.0	Active	5
State Conservation	Other Conservation	Effective DCP Cropland	Double Cropped	MPL/FWP			FAV/WR History	
0.0	0.0	711.4	143.4	0.0			N	

Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction
WHEAT	143.3	49	50	0.0	0.0
CORN	250.4	106	154	0.0	0.0
SOYBEANS	461.1	34	41	0.0	0.0
Total Base Acres:	854.8				

Tract Number: 1140

Description: E7

N5

FAV/WR History Ν

BIA Range Unit Number:

HEL Status: HEL: conservation system is being actively applied

Wetland Status: Tract does not contain a wetland

WL Violations:

None

Carrelo and	011	DCP		M/DD	WRP/EWP	CRP	000
Farmland	Cropland	Cropland		WBP	WKP/EWP	Cropland	GRP
2.8	2.8	2.8		0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropland		Double Cropped	MPL/FWP		
0.0	0.0	2.8		0.6	0.0		
Сгор	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction		
SOYBEANS	3.4	34	41	0.0	0.0		

Total Base Acres:

3.4

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Other Producers: None

Illinois

Monroe Report ID: FSA-156EZ

#### U.S. Department of Agriculture

#### Farm Service Agency

Abbreviated 156 Farm Record

FARM: 4436

Prepared: 11/29/12 11:26 AM

Crop Year: 2013

Page: 2 of 3

Tract Number: 9366

Description: D6 Section 26

FAV/WR History

**BIA Range Unit Number:** 

Ν

HEL Status: Classified as not HEL

Wetland Status: Tract contains a wetland or farmed wetland

WL Violations: None							
Farmland	Cropland	DCP Cropland		WBP	WRP/EWP	CRP Cropland	GRP
74.7	53.0	53.0		0.0	0.0	0.0	0.0
State Conservation	Other Conservation	Effective DCP Cropla		Double Cropped	MPL/FWP		
0.0	0.0	53.0		11.8	0.0		
Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction		
WHEAT	11.8	49	50	0.0	0.0		
CORN	20.6	106	154	0.0	0.0		
SOYBEANS	32.4	34	41	0.0	0.0		
Total Base Ac	res: 64.8						

Other Producers: BLUFFVIEW FARM INC

Owners: DILLENBERGER FARMS INC

Tract Number: 9840

Description: E7

FAV/WR History Ν

BIA Range Unit Number:

HEL Status: HEL: conservation system is being actively applied

Wetland Status: Wetland determinations not complete

WL Violations:

None

Farmland	Cropland	DCP Cropland		WBP	WRP/EWP	
93.8	85.8	85.8		0.0	0.0	
State Conservation (	Other Conservation	Effective DCP Croplane	<del>l</del>	Double Cropped	MPL/FWP	
0.0	0.0	85.8		17.3	0.0	
Сгор	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction	
WHEAT	17.8	49	50	0.0	0.0	
CORN	31.1	106	154	0.0	0.0	
SOYBEANS	54.2	34	41	0.0	0.0	
Total Base Acr	res: 103.1					

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

MARY ANN DILLENBERGER

Other Producers: None

FARM: 4436

Illinois

U.S. Department of Agriculture

Prepared: 11/29/12 11:26 AM

Monroe

Farm Service Agency

Crop Year: 2013

Report ID: FSA-156EZ

Abbreviated 156 Farm Record

Page: 3 of 3

Tract Number: 10128

Description: C6

FAV/WR

BIA Range Unit Number:

History

HEL Status: Classified as not HEL

Ν

Wetland Status: Wetland determinations not complete

WL Violations:

None

		DCP				CRP			
Farmland Cropland		Cropland		WBP	WRP/EWP	Cropland	GRP		
353.0	202.0	202,0		0.0	0.0	0.0	0.0		
State Conservation	Other Conservation	Effective DCP Cropland		Double Cropped	MPL/FWP				
0.0	0.0			40.6	0.0				
Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction				
WHEAT	40.7	49	50	0.0	0.0	•			
CORN	71.1	106	154	0.0	0.0				

0.0

Total Base Acres:

SOYBEANS

130.8 242.6 34

41

Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

Other Producers: BLUFFVIEW FARM INC

Tract Number: 11041

Description: A7

FAV/WR History

BIA Range Unit Number:

HEL Status: Classified as not HEL

Ν

Wetland Status: Tract contains a wetland or farmed wetland

WL Violations:

None

Farmland	Cropland	DCP Croplant	d	WBP	WRP/EWP	
394.4	4.4 367.8 367.8 0.0		0.0	0.0		
State Conservation			Double Cropped	MPL/FWP		
0.0	0.0 0.0 367.8			73.1	0.0	
Crop	Base Acreage	Direct Yield	CC Yield	CCC-505 CRP Reduction	PTPP Reduction	
WHEAT	73.0	49	50	0.0	0.0	
CORN	127.6	106	154	0.0	0.0	
SOYBEANS	240.3	34	41	0,0	0.0	
T-4-1 D A a	440.0					

Total Base Acres:

440.9

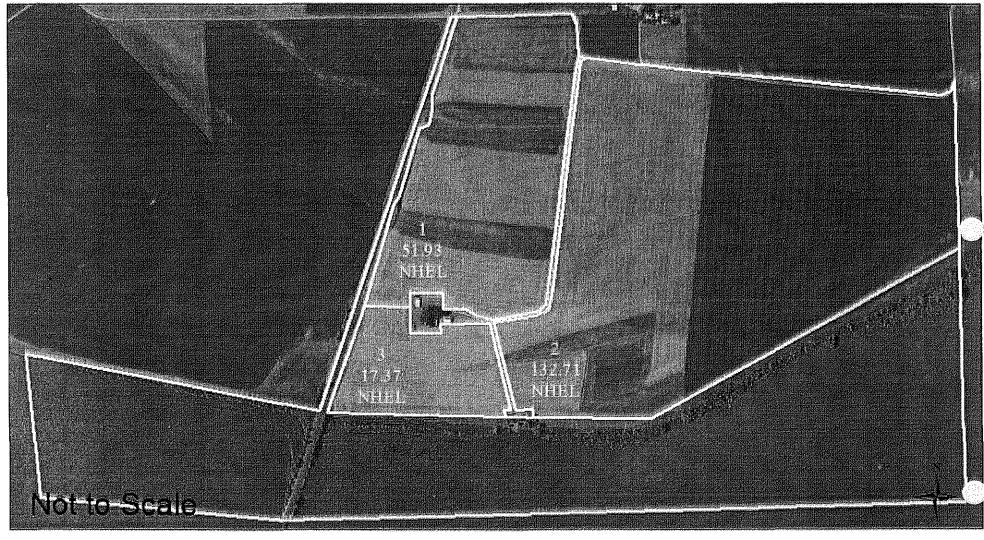
Owners: JAMES F & SUSAN H DILLENBERGER REVOCABLE TRUST

MARY ANN DILLENBERGER

0.0

SUSIE DILLENBERGER

Other Producers: BLUFFVIEW FARM INC





United States Department of Agriculture Farm Service Agency

### Monroe County, IL

Farm: 4436 Tract: 10128

Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area.

Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

February 09, 2011

## fsa\_gis\_layers.SDE.wet\_p\_il133 Wetland Determination Identifiers

- Restricted Use
- ▼ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Question# 10

Question # 11 - NO

Question # 12 - Ves (see enclosed)



This form is available electronically. (See the Last Page for Privacy Act Statement) U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation 1. Program Year: 2012 2. State Code 3. County Code 4. Farm Number 133 5A. County FSA Office Name and Address (Including Zip Code) DIRECT AND COUNTER-CYCLICAL PROGRAM (DCP) MONROE COUNTY FARM SERVICE AGENCY CONTRACT AND AVERAGE CROP REVENUE 138 WILLIAMSBURG LANE **ELECTION (ACRE) CONTRACT** WATERLOO, IL 62298-0000 5B. County Office Tetephone/Fax Number(s) (Including Area Code) (618)939-6181 x2 FAX (618)939-4647 THIS CONTRACT TO PARTICIPATE is entered into between the Commodity Credit Corporation (CCC) and the undersigned producers on the farm identified above for the commodities identified in Item 8. This contract must be executed by all producers, with a share greater than zero, by June 1 of the contract period. The terms and conditions of the DCP and ACRE contract are contained in the CCC-509, pentitled "Appendix to Form CCC-509, Direct and Counter-Cyclical Program (DCP) Contract and Average Crop Revenue Election (ACRE) Program Contract. And the Regulations in 7 CFR Part 1412 and are subject to change. By signing this contract, the undersigned producers on the farm identified in Item 4 are participating in the DCP or ACRE Program subject to CCC approval. By signing this contract, producers: (1) acknowledge receipt of the CCC-509 Appendix; (2) agree to abide by the terms contained therein; (3) agree to comply with the regulational governing the applicable program and payment eligibility and imitiation provisions; (4) acknowledge and agree that DCP and ACRE and benefits under DCP and ACRE are subject to changes based upon change to applicable statute; and (5) certify to the accuracy of the information set out on this form. Producer's Initials: X ACRE 6. This contract is for the following program (Check one and initial): DCP If ACRE is checked, you must also complete the ACRE Election form (CCC-509ACRE) only if this is the first year for ACRE participation 7. At least 50 percent of the ownership interest of the farm is held by a socially disadvantaged or Producer's Initials: (See CCC-509 Appendix for definitions and rules). limited resource farmer or rancher Items 8 through 16 specify the details for the commodity, base acres, direct and counter-cyclical payment acres, yields and payment share for the farm in Item 4. Item 11B does not apply to ACRE. Items 13 and 14 do not apply to ACRE payments 11. Payment Yield 10. Direct and 11. Payment Yield 10. Direct and Commodity Counter-Cyclical Payment Acres 85% of Base Acres Counter-Cyclical Payment Acres 85% of Base Acres Base Acres Commodity Base Acres A. Direct A. Direct Counter-Cyclical Counter-Cyclical CORN 250.4 212.8 106 154 SOYBN 461.1 391.9 34 41 WHEAT 143.3 49 121.8 12A. Owner or Producer's Name and Address (Including Zip Code) 13. Payment Share Commodity Commodity Payment Share 90.16 % SOYBN CORN 90.16 % DILLENBERGER FARMS INC 6664 A RD VALMEYER, IL 62295-1538 WHEAT 90.16 % 12B. Telephone No. (Include Area Code): 15A. Refused Payment Information: 15B, Producer's Initials All Counter-Cyclical Payments are Refused All Direct Payments are Refused 15C. Date initialed (MM-DD-YYYY) All ACRE Payments are Refused 16C. Date (MM-DD-YYYY) 16B. Title/Relationship of the Individual Signing in the Representative Capacity Producer's Signature (By) J81-12 17B. Date (MM-DD-YYYY) re of CCC Representative Acourte County Esq 19, Employee's Initials

#12

CCC-509 (10-01-11)					Page 2 of 3		
, PROGRAM YEAR	2. STATE CODE	3. COUNT	Y CODE	4. FARM NUMBE	4. FARM NUMBER		
2012	17		133		4436		
	CONTINUATION OF OWNER'S	OR PRODUCER'S CROP	INFORMATION (From P	age 1)			
12A. Owner or Producer's Name and Address (In	noluding Zip Code)	13. Commodity	14. Payment Share	13. Commodity	14. Payment Share		
BLUFFVIEW FA	RM INC	CORN	9.84 %	SOYBN	9.84 %		
8490 FOREST CASEYVILLE, IL 6		WHEAT	9.84 %		70		
0,021,1222,12	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,				- (		
					MAR Marcount		
12B. Telephone No. (Include Area Code):					40		
					No.		
15A. Refused Payment Information:				15B. Producer's Initials	Waterloo, IL		
All Direct Payments are Refused	All Cou	unter-Cyclical Payments are	e Refused	15C. Date Initialed (MM-DD-Y	YYY) , 1/2		
All ACRE Payments are Refused				03/05/201-			
16A, Producer's Signature (By)	16B. <sup>-</sup>	Title/Relationship of the Ind	lividual Signing in the Repre	esentative Capacity 16C. Date	(MM-DD-YYYY)		
12A, Owner or Producer's Name and Address (Ir	ncluding Zip Code)	13, Commodity	14. Payment Share	13. Commodity	14. Payment Share		
JAMES F & SUSAN H DILLENBER		CORN	0 %	SOYBN	0 %		
6664 A RI VALMEYER, IL 62		WHEAT	0 %				
· · · · · · · · · · · · · · · · · · ·							
			-				
12B. Telephone No. (Include Area Code):							
15A. Refused Payment Information;				15B. Producer's Initials			
All Direct Payments are Refused	AH Co.	inter-Cyclical Payments are	- Defined	TOD, TOGGOS O INCOME			
	All Col	inter-Cyclical Payments are	e Kaiusao	15C. Date Initialed (MM-DD-Y	YYY)		
All ACRE Payments are Refused							
	[16B. 7	Title/Relationship of the Ind	ividual Signing in the Repre	esentative Capacity 16C. Date	(MM-00-YYYY)		

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(0-01-11)						Page 3 of 3		
1. PROGRAM YEAR	2, STATE CODE	3. COUNT	3. COUNTY CODE			ER		
2012	17		133			4436		
	CONTINUATION OF OWNER	'S OR PRODUCER'S CROP	INFORMATION (From Pag	ge 1)				
12A, Owner or Producer's Name and Address	(Including Zip Code)	13, Commodity	14, Payment Share	13. Commo	odity	14. Payment Share		
MARY ANN DILL	ENBERGER	CORN	0 %	SOY	B <u>N</u>	0 %		
3079 STATE RO		WHEAT	0 %					
WATERLOO, IL	62298-6303							
		-						
12B, Telephone No. (Include Area Code):	·							
15A. Refused Payment information:	[n]		1	15B. Producer's In	itials			
All Direct Payments are Refused  All ACRE Payments are Refused	All Co	ounter-Cyclical Payments are	Refused	15C. Date Initialed	(MM-DD-Y	YYY)		
16A. Producer's Signature (By)		. Title/Relationship of⊥he Indiv	vidual Signing in the Repres	sentative Capacity	16C. Date	(MM-DD-YYYY)		
Jan Dillil	<u></u>	POI	<u> </u>	·	(1)	124/12		
12A. Owner or Producer's Name and Address	(Including Zip Code)	13. Commodity	14. Payment Share	13. Commo		14. Payment Share		
SUSIE DILLEN		CORN	0 %	SOYBN		0 %		
6664 A F VALMEYER, IL (		WHEAT	0 %					
VACINE LEIS, IE	32235-1336							
	!							
12B. Telephone No. (Include Area Code):								
тив. Тетерпоне но. утошае мей сообу.	!							
15A. Refused Payment Information:				15B. Producer's In	itials			
All Direct Payments are Refused	All Co	ounter-Cyclical Payments are	Refused	5 / 1 // 1				
All ACRE Payments are Refused				15C. Date Initialed	(MM-DD-Y)	YYY) 		
16A. Producer's Signature (By)	7 / 16B.	Title/Relationship of the Indiv	vidual Signing in the Repres	entative Capacity	16C. Date	(MMIDD-YYYY)		
1 Sem Delle	they	_ Spar?	ŝl			7124/12		
						7,		
regulation and/or as described i	le in accordance with the Privacy A ne Commodity Credit Corporation ( be used to by CCC to assist in det r and approve the contract to enter ant agencies, Tribal agencies, and in applicable Rouline Uses identifie funtary. However, failure to furnish	nongovernmental entities ed in the System of Reco	s that have been authori ords Notice for USDA/FS	ized access to th SA-2, Farm Reco	ne intormat ords File (A	tion by statute or Automated). Providina		
This information collection is ex (See Pub. L. 110-246, Title I, St	empted from the Paperwork Reduc ubtitle F – Administration).	ction Act, as it is required	for administration of th	e Food, Conser	vation, and	d the Energy Act of 2008		
The provisions of criminal and c	civil fraud, privacy and other statut	les may be applicable to t	the information provided	i. RETURN TH	S COMPL	ETED FORM TO YOUR		

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Monroe County FSA

State:

Illinois

County:

Monroe

County Office: Monroe County Farm Service Agency

### U.S. Department of Agriculture Farm Service Agency

2012-ACRE CCC-509B Worksheet

Стор	Base Acres	Raymeni Acres	Dirge &	STATE OF THE PROPERTY.	ayment Rale	Producer Name	Туре	<b>《公司》的《公司》</b>	ies Animal Payment
Farm	4436				The state of the s		A CONTRACTOR CONTRACTO		
Corn	250.4	212.8	106	154	0.224	BLUFFVIEW FARM INC	OW	9.84%	\$497
	250.4	212.8	106	154	0.224	DILLENBERGER FARMS INC	00	90.16%	\$4,556
Soybeans	461.1	391.9	34	41	0.352	BLUFFVIEW FARM INC	OW	9.84%	\$462
	461.1	391.9	34	41	0.352	DILLENBERGER FARMS INC	00	90.16%	\$4,229
Wheat	143.3	121.8	49	50	0.416	BLUFFVIEW FARM INC	OW	9.84%	\$244
	143.3	121.8	49	50	0.416	DILLENBERGER FARMS INC	00	90.16%	\$2,238
								Total:	\$12,226

2/24/12 8:20 AM Page 1 of 1

#### Disclaimer:

The direct payment amounts reflected on this statement are based on 2012-ACRE payment rates.

The amounts may vary due to changes in payment acres, payment yields, producer eligibility, or producer shares.

The distribution of the form does not in any way obligate CCC to disburse the payment amounts reflected.

**Note:** Payment amounts will be calculated by multiplying payment acres, payment yields, share, permitted/AGI share, cropland factor and the payment rate. The payment amounts reflected on this statement do not take into account the permitted/AGI share or cropland factors. Background information can be obtained from any FSA county office.

14. You or a responsible agent must submit all requested information under an authorized signature with the following certification:

I certify under the penalty of law that I have examined and am familiar with the information submitted in responding to this information request for production of documents. Based on my review of all relevant documents and inquiring of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.